

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE.
S/S Pulaski Hwy, 2200' E of Days * ZONING COMMISSIONER
Cove Road (11715 Pulaski Highway)
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Legal Owner:Catherine M. Furnkas * Case No. 97-66-XA
Contract Lessee: Penn Advertising
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Exception and Variance for the property located at 11715 Pulaski Highway in the northeast section of Baltimore County. The Petitions are filed by the legal owner of the property, Catherine M. Furnkas, and the Contract Lessee, Penn Advertising. Special Exception relief is requested for approval of a two single face (side by side) 12' x 25' (300 sq. ft. each) outdoor advertising signs, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (BCZR). Variance relief is requested from Sections 413.3.B., 258.1, 238.1 and 303.2 of the BCZR to permit the aforesaid sign to be situated 25 ft. from the right of way line of the dual highway, in lieu of the required 100 ft. and 50 ft. respectively; a variance from Section 256.5 to allow an M.H. use (outdoor advertising sign) within 150 ft. of a residential zone (R.C.20) boundary; and a variance from Sections 258.2 and 243.2 of the BCZR to permit the sign to be located 5 ft. from the side property line in lieu of the required 50 ft. The requested relief and subject property are more particularly shown on Petitioner's Exhibit No. 1, the site plan to accompany the Petitions for Special Exception and Variance.

Appearing at the public hearing held for this case were Steve Southern, Nathan Sterner and Michael Johnson, all from Penn Advertising, Inc. Also present was William Monk, the Land Use Consultant who prepared the

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By

9/19/96
M. Hark

site plan and exhibits submitted in this case. The Petitioner was represented by Stanley Fine, Esquire. There were no Protestants or other interested persons present.

Uncontradicted testimony and evidence presented was that the subject property is a rectangularly shaped lot, approximately 9.6 acres in area. The property is zoned M.H. and is situated immediately adjacent to Pulaski Highway (Md. Route 40) in northeast Baltimore County. The site is presently used as a junk yard and auto storage area. There are no improved properties or active uses adjacent to the property. As shown on the site plan the property fronts Route 40 on the north side; however, to the south, east and west, the property is surrounded by the Gunpowder State Park. Penn Advertising proposes to erect two single face side by side 12 x 25 ft. signs on the property. The signs will face only the traffic proceeding in a northeast direction on Route 40. Moreover, the signs will be located near the property line, so as to not affect the ongoing use of the property by its owner. Moreover, the location, where proposed, will buffer the view of the sign from the traffic heading in a southwest direction due to the heavy forest immediately offsite.

It is clear that the Petition for Special Exception should be granted. Clearly, the proposed use at this location is entirely appropriate. The absence of any residential communities or other active uses in the immediate vicinity is a determinative factor. Moreover, the existing use of the property as an auto parts storage area/junk yard is significant. There are no residences which are within view of the sign owing to the dense screening. For all of these reasons, the Petition for Special Exception shall be granted.

The Petition for Variances are also appropriate. In fact, a grant of the variances will enable the sign to be placed near the property line and,

as noted above, will buffer the view of same from traffic on the other side of Pulaski Highway. The placement of the signs in the middle of the lot is impractical and would interfere with the use of the property. In my judgment, the Petitioner has presented evidence which satisfies the requirements of Section 307 of the BCZR and the case law. Thus, the Petition for Variances will also be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19TH day of September, 1996 that, pursuant to the Petition for Special Exception, approval of a two single face (side by side) 12' x 25' (300 sq. ft. each) outdoor advertising signs, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

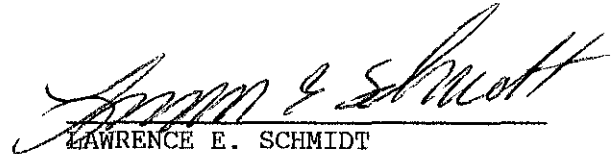
IT IS FURTHER ORDERED that a variance from Sections 413.3.B., 258.1, 238.1 and 303.2 of the BCZR to permit the aforesaid sign to be situated 25 ft. from the right of way line of the dual highway in lieu of the required 100 ft. and 50 ft. respectively, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 256.5 to allow an M.H. use (outdoor advertising sign) within 150 ft. of a residential zone (R.C.20) boundary, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 258.2 and 243.2 of the BCZR to permit the sign to be located 5 ft. from the side property line, in lieu of the required 50 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason,

this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date 9/19/96

By CM York

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 19, 1996

Stanley Fine, Esquire
20 South Charles St., 10th floor
Baltimore, Maryland 21201

RE: Petitions for Special Exception and Variance
Case No. 97-66-XA
Catherine M. Furnkas, Legal Owner
Penn Advertising, Inc., Contract Purchaser, Petitioner

Dear Mr. Fine:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted, with restriction, in accordance with attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. William Monk, 222 Bosley Avenue, Suite C-6, Towson, Md. 21204
Messrs. Southern, Sterner, and Johnson, Penn Advertising, Inc.
3001 Remington Avenue, Balto. Md. 21211

MICROFILMED





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

11715 Pulaski Highway

which is presently zoned

MH

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

2 SINGLE FACE (SIDE BY SIDE) 12' X 25' (300 SQ. FT. EACH) OUTDOOR
ADVERTISING SIGNS PER SECTION 413.3 BCZR

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

~~Contract Purchaser/Lessee:~~

PENN ADVERTISING

(Type or Print Name)

Signature

STEVE SOUTHERN

Address

BALTIMORE MD 21211
City State Zipcode

Attorney for Petitioner:

STANLEY FINE

(Type or Print Name)

Signature

20 S. CHARLES ST. 10TH FL. 410-539-6967

Address

Phone No.

BALTIMORE MD 21201
City State Zipcode

Legal Owner(s):

Catherine M. Furnkas

(Type or Print Name)

Signature

(Type or Print Name)

Signature

11204 Lorely Beach Rd. 410-335-3221
Address Phone No.

White Marsh, Md 21162
City State Zipcode
Name, Address and phone number of representative to be contacted.

WILLIAM MONK, INC.
Name
222 BOSLEY AVE. C-6 410-494-8931
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

MICROFILMED

6A



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

11715 Pulaski Highway

which is presently zoned

MH

258.1, 238.1 AND 303.2

97-66-XA

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SECTION 413.3 B TO PERMIT A SIGN TO BE SITUATED 25' FROM THE RIGHT OF WAY LINE OF A DUAL HIGHWAY IN LIEU OF THE REQUIRED 100' AND 50' RESPECTIVELY WPM

SECTION 256.5 TO ALLOW A MH USE (OUTDOOR ADVERTISING SIGN) WITHIN 150' OF A RESIDENTIAL ZONE (RC 20) BOUNDARY

SECTION 258.2 & 243.2 TO PERMIT THE SIGN TO BE LOCATED 5' FROM THE SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 50' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

THE EXISTING TREE LINE PROJECTS TO THE PROPERTY LINE (ADJACENT TO PULASKI HIGHWAY) WHICH PROHIBITS SIGHT VISIBILITY IF THE 100' FRONT YARD SETBACK AND 50' SIDE YARD SETBACK WERE TO BE MAINTAINED.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

~~Contract Purchaser/Lessee:~~

PENN ADVERTISING

(Type or Print Name)

Signature

STEVE SOUTHERN

3001 REMINGTON AVENUE

Address

BALTIMORE

City

MD

State

21211

Zipcode

Attorney for Petitioner:

STANLEY FINE

(Type or Print Name)

Signature

20 S. CHARLES ST. 10TH FL. 410-539-6967

Address

BALTIMORE

City

MD

State

Phone No.

21201

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

Catherine M. Furnkas

(Type or Print Name)

Signature

(Type or Print Name)

Signature

11204 Lorely Beach Rd. 410-335-3221

Address

Phone No.

White Marsh,

Md.

21162

City

State

Zipcode

Name, Address and phone number or representative to be contacted

WILLIAM MONK, INC.

Name

222 BOSLEY AVE. C-6 410-494-8931

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE



Printed with Soybean Ink
on Recycled Paper

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Zoning Administration

Development Management

64

ZONING DESCRIPTION
PENN ADVERTISING
11715 PULASKI HIGHWAY
1TH ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND
(SIGN EASEMENT AREA)

97-66-XA

BEGINNING FOR THE SAME AT A POINT SOUTH 44 DEGREES 33 MINUTES 47 SECONDS EAST 25.00 FEET FROM THE SOUTHERN SIDE OF PULASKI HIGHWAY AND 2200 FEET, MORE OR LESS, EAST OF THE CENTER LINE OF DAYS COVE ROAD; THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES: (1) SOUTH 44 DEGREES 33 MINUTES 47 SECONDS EAST 55.00 FEET; (2) SOUTH 25 DEGREES 26 MINUTES 13 SECONDS WEST 15.00 FEET; (3) NORTH 44 DEGREES 33 MINUTES 47 SECONDS WEST 55.00 FEET; (4) NORTH 25 DEGREES 26 MINUTES 13 SECONDS WEST 15.00 FEET; TO THE PLACE OF BEGINNING.

CONTAINING 825 SQUARE FEET OF LAND, MORE OR LESS.



CASE NUMBER: 97-66-XA (Item 64)
11715 Pulaski Highway
S/S Pulaski Highway, 2200' E of Days Cove Road
11th Election District - 5th Councilmanic
Legal Owner(s): Catherine M. Furnkas
Lessee: Penn Advertising

Post by: 9/1/96

Special Exception for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs.
Variance to permit a sign to be situated 25 ft. from the right of way line of a dual highway in lieu of the required 100 feet and 50 feet, respectively; to allow a MH use (outdoor advertising sign) within 150 feet of a residential zone (RC-20) boundary; and to permit the sign to be located 5 feet from the side property line in lieu of the required 50 feet.

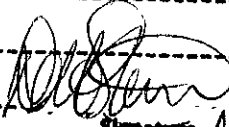

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HEARING: MONDAY, SEPTEMBER 16, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

William Monk 494-8931 ✓

97-66-XA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Townson, Maryland

District: 11th Elec. 5th Councilmanic
Date of Posting: August 30, 1996
Posted for: ~~William Monk~~ Spec. Exc. / Variance for 2 - (12x25) outdoor Advtg. Signs
Petitioner: Catherine Furnkas / Penn Advertising
Location of property: 11715 Pulaski Hwy.
S/S Pulaski Hwy, 2200' E/O Days Cove Rd
Location of Signs: @ Entrance to premises. Facing Pulaski Hwy.
Remarks: 
Posted by: 
Signature: NATHAN STERNBERG
Date of return: 9/17/96
Number of Signs: 1
Penn Adv

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-66-XA
(Item 84)

11715 Pulaski Highway
S/S Pulaski Highway, 2200'
E of Days Cove Road
11th Election District
5th Councilmanic

Legal Owner(s):
Catherine M. Furnkas
Lessee:

Penn Advertising
Special Exception: for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs. Variance: to permit a sign to be situated 25 ft. from the right of way line of a dual highway in lieu of the required 100 feet and 60 feet, respectively; to allow a MH use (outdoor advertising sign) within 150 feet of a residential zone (R-20) boundary; and to permit the sign to be located 5 feet from the side property line in lieu of the required 50 feet.

Hearing: Monday, September 16, 1996 at 9:00 a.m. in Rm. 118, Old Courthouse

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) - Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.

(2) - For information concerning the File and/or Hearing, Please Call 887-3381.

8/23 Aug 22

078133

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/22, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/22, 1996.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 64 Petitioner: PENN ADVERTISING

Location: 11715 PULASKI HIGHWAY

PLEASE FORWARD ADVERTISING BILL TO:

NAME: NATIE STERNER - PENN ADV.

ADDRESS: 3001 REMINGTON AVENUE
BALTIMORE, MD 21211

PHONE NUMBER: 410-235-8820

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TO: PUTUXENT PUBLISHING COMPANY
August 22, 1996 Issue - Jeffersonian

Please forward billing to:

Nate Sterner
Penn Advertising
3001 Remington Avenue
Baltimore, MD 21211
235-8820

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-66-XA (Item 64)
11715 Pulaski Highway
S/S Pulaski Highway, 2200' E of Days Cove Road
11th Election District - 5th Councilmanic
Legal Owner(s): Catherine M. Furnkas
Lessee: Penn Advertising

Special Exception for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs.

Variance to permit a sign to be situated 25 ft. from the right of way line of a dual highway in lieu of the required 100 feet and 50 feet, respectively; to allow a MH use (outdoor advertising sign) within 150 feet of a residential zone (RC-20) boundary; and to permit the sign to be located 5 feet from the side property line in lieu of the required 50 feet.

HEARING: THURSDAY, SEPTEMBER 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

MICROFILMED

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-66-XA (Item 64)
11715 Pulaski Highway
S/S Pulaski Highway, 2200' E of Days Cove Road
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HEARING: THURSDAY, SEPTEMBER 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Catherine M. Furnkas
William Monk, Inc.
Penn Advertising
Stanley Fine

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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APPLICATION FOR PLUMBING PERMIT

PERMIT #: F279863 DIST: 11 PREC: 00

LOCATION: 34 POWDER ROCK PL

SUBDIVISION:

TAX ASSESSMENT #:

OWNERS INFORMATION
NAME: SCHUEFER, MARK
ADDR:

APPLICANT INFORMATION

NAME: ALLEN TULL

COMPANY: TULL'S PLG & HTG

ADDR1: 200 FITZHUGH RD

ADDR2: 21085

PHONE #: 410 538 4635

LICENSE #: MP9044

NOTES SMD

SEWAGE DISPOSAL: METRO

TYPE OF BUILDING: SFD

LOT #: BLOCK:

TOWN OR VICINITY: PERRY HALL

SECTION:

NO. OF GAS METERS: 1N

SIZE OF

GAS PERMIT: RANGE:

WATER HEATER X

FURNACE X

OTHERS X

PIPE *

CHECK HERE WORK BEING PERFORMED

NO. OF FIXTURES

CHARGES

GAS PERMIT APPLIED (NATR OR BTL) N

17.00
17.00

DRAWING NUMBER:

JOB NUMBER: REMARKS SMD

SEWER LOCATION:

DEPTH

LINEAL FEET OF

PRIVATE DISPOSAL:

DEPTH

HOUSE CONNECTION

DATE APPLIED: 08/07/96 INSPECTOR INITIALS: 11B

FEE: \$17.00

PAID:

\$17.00

RECEIPT #: A309781

PAID BY: APPL

(I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 20, 1996

NOTICE OF REASSIGNMENT

CASE NUMBER: 97-66-XA (Item 64)
11715 Pulaski Highway
S/S Pulaski Highway, 2200' E of Days Cove Road
11th Election District - 5th Councilmanic
Legal Owner(s): Catherine M. Furnkas
Lessee: Penn Advertising

Special Exception for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs.

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HEARING: MONDAY, SEPTEMBER 16, 1996 at 9:00 a..m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Catherine M. Furnkas
William Monk, Inc.
Penn Advertising
Stanley Fine, Esq.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 13, 1996

Stanley Fine, Esquire
20 S. Charles Street, 10th Floor
Baltimore, MD 21201

RE: Item No.: 64
Case No.: 97-66-XA
Petitioner: Catherine Funkas

Dear Mr. Fine:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 10, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

Based upon site analysis and the information provided, the Planning Office does not oppose the granting of the following petitions:

Item Nos. 64 and 68

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Cam L. Kerns

PK/JL

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/15/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 19, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 33, 55, 58, 60, 63, 64, 65, 66,
67, 68, 69 AND 71.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



MAILED 8/15/96



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

8-16-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204


RE: Baltimore County
Item No. 004 (JLL)

Dear Ms. Eubanks:

13 This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto ~~MD~~ US 40 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: August 23, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for August 26, 1996
 Item No. 064

The Development Plans Review Division has reviewed the subject zoning item. If granted, this office requests that the Hearing Officer requires conformance with the Landscape Manual's streetscape standards.

RWB:HJO:jrb

cc: File

ZONE23D

MICROFILMED

PETITION PROBLEMS

#33 --- RT

1. Where has this petition been????
2. Only one signature was notarized.

#55 --- JRA

1. No zoning indicated on petition form.
2. No review information on bottom of petition form.

#58 --- MJK

1. Need title of person signing for legal owner.
2. Need telephone number of legal owner.

#60 --- MJK

1. Need telephone number for legal owner.

#61 --- ????

Where is it??????

#62 --- JLL

1. Why does special hearing petition form list two legal owners and the variance petition form list only one legal owner.

#64 --- JLL

1. Need title of person signing for lessee.

#67 --- JJS

1. Need zoning on petition form - says "Res".

#70 --- ???

Where is it????

#71 --- MJK

1. Need telephone number for legal owner.

SPRINKLER SYSTEM HYDRAULIC ANALYSIS

Page 7

Date: 05/20/1996

C:\HASS60\DATA\TARGET\TS-FSA-1.SDF

JOB TITLE: TARGET STORE GRID SYSTEM NO. 2 FOOD SERVICE AREA

PIPE DATA (cont.)

PIPE TAG	END	ELEV.	NOZ.	PT	DISC.	Q(GPM)	DIA(IN)	LENGTH	PRESS.
NODES	(FT)	(K)	(K)	(PSI)	(GPM)	VEL(FPS)	HW(C)	(FT)	SUM.
						F.L./FT			(PSI)
Pipe: 252		FIXED PRESSURE LOSS DEVICE							
BF1	2.0	0.0	64.8	0.0	4.5 psi, 485.7 gpm				
BF2	2.0	0.0	60.3	0.0					
Pipe: 253									
BF1	2.0	0.0	64.8	0.0	-485.7	8.071	PL	1.50	PF 0.1
BR	2.0	H.S.	64.8	365.0	3.0	120	FTG	EG	PE 0.0
						0.002	TL	23.50	PV 0.1
Pipe: 254									
BR	2.0	H.S.	64.8	365.0	-850.7	8.265	PL	15.00	PF 0.3
RI	0.0	0.0	66.0	0.0	5.1	120	FTG	ETG	PE 0.9
						0.006	TL	50.34	PV 0.2
Pipe: 255									
RI	0.0	0.0	66.0	0.0	-850.7	8.265	PL	135.00	PF 0.8
H1	0.0	H.S.	66.8	150.0	5.1	120	FTG	----	PE 0.0
						0.006	TL	135.00	PV 0.2
Pipe: 256									
H1	0.0	H.S.	66.8	150.0	-1000.7	8.265	PL	379.00	PF 3.0
H2	0.0	0.0	69.8	0.0	6.0	120	FTG	2L	PE 0.0
						0.008	TL	388.02	PV 0.2
Pipe: 257									
H2	0.0	0.0	69.8	0.0	-1000.7	8.265	PL	45.00	PF 0.4
H3	0.0	0.0	70.2	0.0	6.0	120	FTG	G	PE 0.0
						0.008	TL	48.01	PV 0.2
Pipe: 258									
H3	0.0	0.0	70.2	0.0	-1000.7	8.265	PL	157.00	PF 1.6
M2	0.0	0.0	71.8	0.0	6.0	120	FTG	2TG	PE 0.0
						0.008	TL	205.12	PV 0.2
Pipe: 259		FIXED PRESSURE LOSS DEVICE							
M1	0.0	0.0	74.4	0.0	2.6 psi, 1000.7 gpm				
M2	0.0	0.0	71.8	0.0					
Pipe: 260									
M1	0.0	0.0	74.4	0.0	-1000.7	8.265	PL	65.00	PF 0.7
TI	0.0	0.0	75.1	0.0	6.0	120	FTG	T2G	PE 0.0
						0.008	TL	93.57	PV 0.2
Pipe: 261									
TI	0.0	0.0	75.1	0.0	-1000.7	12.335	PL	50.00	PF 0.1
SCR	0.0	SRCE	75.1	(N/A)	2.7	120	FTG	----	PE 0.0
						0.001	TL	50.00	PV 0.0
Pipe: 262									
238	14.7	5.5	14.6	21.0	-21.0	1.452	PL	11.00	PF 0.3
239	14.7	5.4	14.9	21.0	4.1	120	FTG	----	PE 0.0
						0.029	TL	11.00	PV 0.1
Pipe: 263									
239	14.7	5.4	14.9	21.0	-42.0	1.452	PL	11.00	PF 1.2
240	14.7	5.4	16.1	21.8	8.1	120	FTG	----	PE 0.0
						0.105	TL	11.00	PV 0.4
Pipe: 264									
240	14.7	5.4	16.1	21.8	-63.8	1.687	PL	8.00	PF 0.9
241	14.7	5.4	16.9	22.3	9.2	120	FTG	----	PE 0.0
						0.110	TL	8.00	PV 0.6

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: August 8, 1996

TO: Hearing Officer

FROM: John L. Lewis

SUBJECT: Item #64
11715 Pulaski Highway

Applicant filing at own risk as requested. Attorney's signature
required.

JLL:scj

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
11715 Pulaski Highway, S/S Pulaski Hwy,	*	ZONING COMMISSIONER
2200' E of Days Cove Road		
11th Election District, 5th Councilmanic	*	OF BALTIMORE COUNTY
Legal Owner(s): Catherine M. Furnkas	*	CASE NO. 97-66-XA
Lessee: Penn Advertising		
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of September, 1996, a copy of the foregoing Entry of Appearance was mailed to William Monk, Inc., 222 Bosley Avenue, C-6, Towson, MD 21204, representative for Petitioners, and to Stanley Fine, Esq., 20 S. Charles Street, 10th Floor, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

Judith Berger

3801 Lochearn Drive

Baltimore, MD 21207-6363

September 12, 1996

Hon. Lawrence E. Schmidt
Baltimore County Zoning Commissioner
Old Courthouse, Ste 112
400 Washington Avenue
Towson, MD 21204

RE: Case 97-65XA (Item 54)
Case 97-66XA (Item 64)
Case 97-67XA (Item 68)

Dear Mr Schmidt,

I am in opposition to granting Special exceptions and Variances in the above referenced cases. The first two cases are too close to the public right of way, and residential zones. The third case location will further degrade a rural location, and ^tis proposed location is too close to the property line.

I have personally inspected the Windsor Mill and Pine Avenue location today, September 12, 1996. The area is still largely residential, indeed, a whole row of homes faces the proposed location. Windsor Mill road is narrow, carries heavy vehicular traffic, which would provide a distraction, adversely, to drivers, and, obviously, is too near to the roadway. Please deny this request.

Case 97-66XA is located at a gateway to the Patapsco State Park, be too close to the right of way, and provide an eyesore close to residences. Please deny this request.

I also oppose the final case 97-67XA. Although I haven't been past this location, I have friends who reside, not too far away. on Dark Hollow Road. This area, the last of the truly lovely rural residential-horse farm areas, would be despoiled if a billboard would be allowed. It would definately be too close to the road, distracting, and be deleterious to the health and welfare of the nearby residents, who value natural beauty, above all. Please deny this request.

The requests for variances and Special Exceptions prove that these locations are deemed unsuitable by the laws of Baltimore County. If these requests are granted they will further make a mockery of those laws.

Please keep Baltimore County and America beautiful!!!

Sincerely

Judith Berger

Judith Berger

MICROFILMED

BEAVER DAM
ROAD

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

WILLIAM MONK

222 BOSLEY AVE

SUITE C-6 TOWSON MD

JOSHUA F. COCKEY

Box 123

COCKEYSVILLE MD 21030

Steve Southern

3001 Remington Ave

Balt MD 21211

NATHAN STERNER

3001 Remington Ave

Balt MD 21211

Michael Johnson

3001 Remington Ave

BALT MD 21211

MICROFILMED

7408 WINDSOR MIL

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

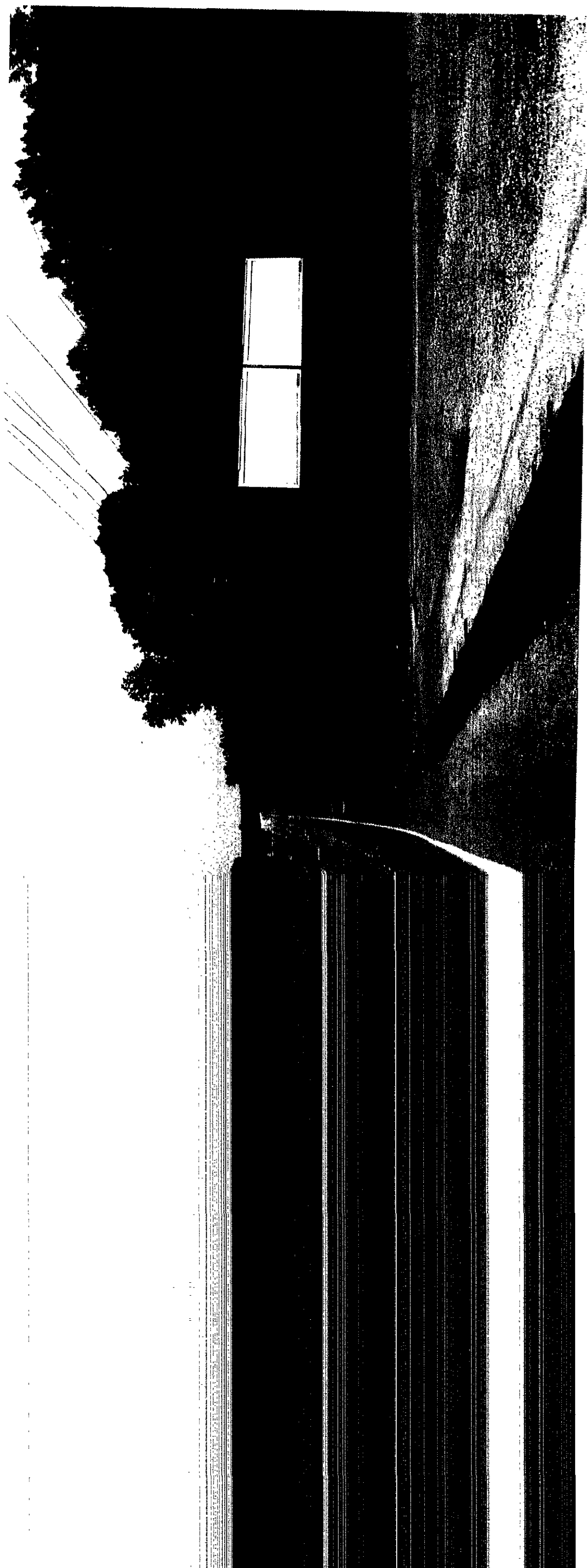
NAME

ADDRESS

William Monk



MICROFILMED



COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN



11715 PULASKI HIGHWAY: EXISTING JUNK YARD



UNFILMED

PETITIONER'S

EXHIBIT NO. _____

WILLIAM MONK, INC.

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

LAND USE PLANNING • LANDSCAPE DESIGN



**TREES ENCROACHING INTO PULASKI HIGHWAY R/W
IMPEDE VIEW OF BILLBOARD**



ENCROACHMENT

PETITIONER'S

EXHIBIT NO. _____

WILLIAM MONK, INC.

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

LAND USE PLANNING • LANDSCAPE DESIGN



**PULASKI HIGHWAY - STEEP HILL
POSTED SPEED LIMIT 55 MPH**

MICROFILMED



COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN



VIEW FROM BILLBOARD LOCATION LOOKING SOUTH

MICROFILMED

PETITIONER'S

EXHIBIT NO. _____

WILLIAM MONK, INC.

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

LAND USE PLANNING • LANDSCAPE DESIGN



ADJACENT LAND USE

MICROFILMED

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

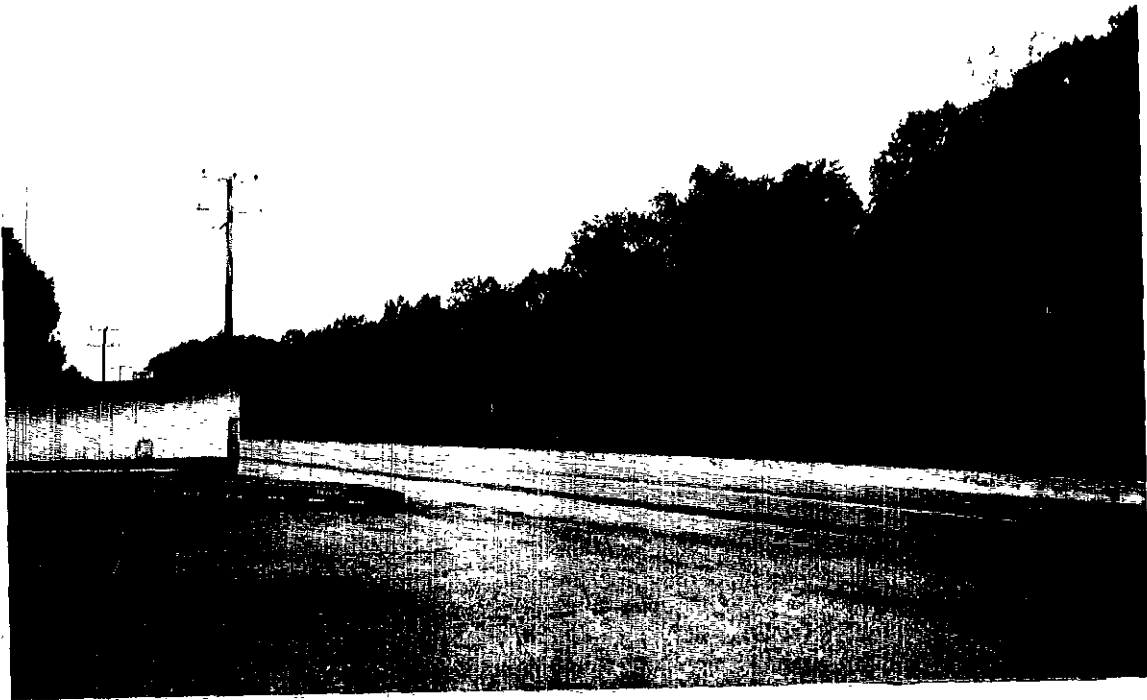


**RESTRICTED VIEW OF BILLBOARD LOCATION
FROM NORTH BOUND LANES OF PULASKI HIGHWAY**



MICROFILMED





John

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE.
S/S Pulaski Hwy, 2200' E of Days * ZONING COMMISSIONER
Cove Road (11715 Pulaski Highway)
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Legal Owner: Catherine M. Furnkas * Case No. 97-66-XA
Contract Lessee: Penn Advertising
Petitioner
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Exception and Variance for the property located at 11715 Pulaski Highway in the northeast section of Baltimore County. The Petitions are filed by the legal owner of the property, Catherine M. Furnkas, and the Contract Lessee, Penn Advertising. Special Exception relief is requested for approval of a two single face (side by side) 12' x 25' (300 sq. ft. each) outdoor advertising signs, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (BCZR). Variance relief is requested from Sections 413.3.B., 258.1, 238.1 and 303.2 of the BCZR to permit the aforesaid sign to be situated 25 ft. from the right of way line of the dual highway, in lieu of the required 100 ft. and 50 ft. respectively; a variance from Section 256.5 to allow an M.H. use (outdoor advertising sign) within 150 ft. of a residential zone (R.C.20) boundary; and a variance from Sections 258.2 and 243.2 of the BCZR to permit the sign to be located 5 ft. from the side property line in lieu of the required 50 ft. The requested relief and subject property are more particularly shown on Petitioner's Exhibit No. 1, the site plan to accompany the Petitions for Special Exception and Variance.

Appearing at the public hearing held for this case were Steve Southern, Nathan Sterner and Michael Johnson, all from Penn Advertising, Inc. Also present was William Monk, the Land Use Consultant who prepared the

site plan and exhibits submitted in this case. The Petitioner was represented by Stanley Fine, Esquire. There were no Protestants or other interested persons present.

Uncontradicted testimony and evidence presented was that the subject property is a rectangularly shaped lot, approximately 9.6 acres in area. The property is zoned M.H. and is situated immediately adjacent to Pulaski Highway (Md. Route 40) in northeast Baltimore County. The site is presently used as a junk yard and auto storage area. There are no improved properties or active uses adjacent to the property. As shown on the site plan the property fronts Route 40 on the north side; however, to the south, east and west, the property is surrounded by the Gunpowder State Park. Penn Advertising proposes to erect two single face side by side 12 x 25 ft. signs on the property. The signs will face only the traffic proceeding in a northeast direction on Route 40. Moreover, the signs will be located near the property line, so as to not affect the ongoing use of the property by its owner. Moreover, the location, where proposed, will buffer the view of the sign from the traffic heading in a southwest direction due to the heavy forest immediately offsite.

It is clear that the Petition for Special Exception should be granted. Clearly, the proposed use at this location is entirely appropriate. The absence of any residential communities or other active uses in the immediate vicinity is a determinative factor. Moreover, the existing use of the property as an auto parts storage area/junk yard is significant. There are no residences which are within view of the sign owing to the dense screening. For all of these reasons, the Petition for Special Exception shall be granted.

The Petition for Variances are also appropriate. In fact, a grant of the variances will enable the sign to be placed near the property line and,

as noted above, will buffer the view of same from traffic on the other side of Pulaski Highway. The placement of the signs in the middle of the lot is impractical and would interfere with the use of the property. In my judgment, the Petitioner has presented evidence which satisfies the requirements of Section 307 of the BCZR and the case law. Thus, the Petition for Variances will also be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

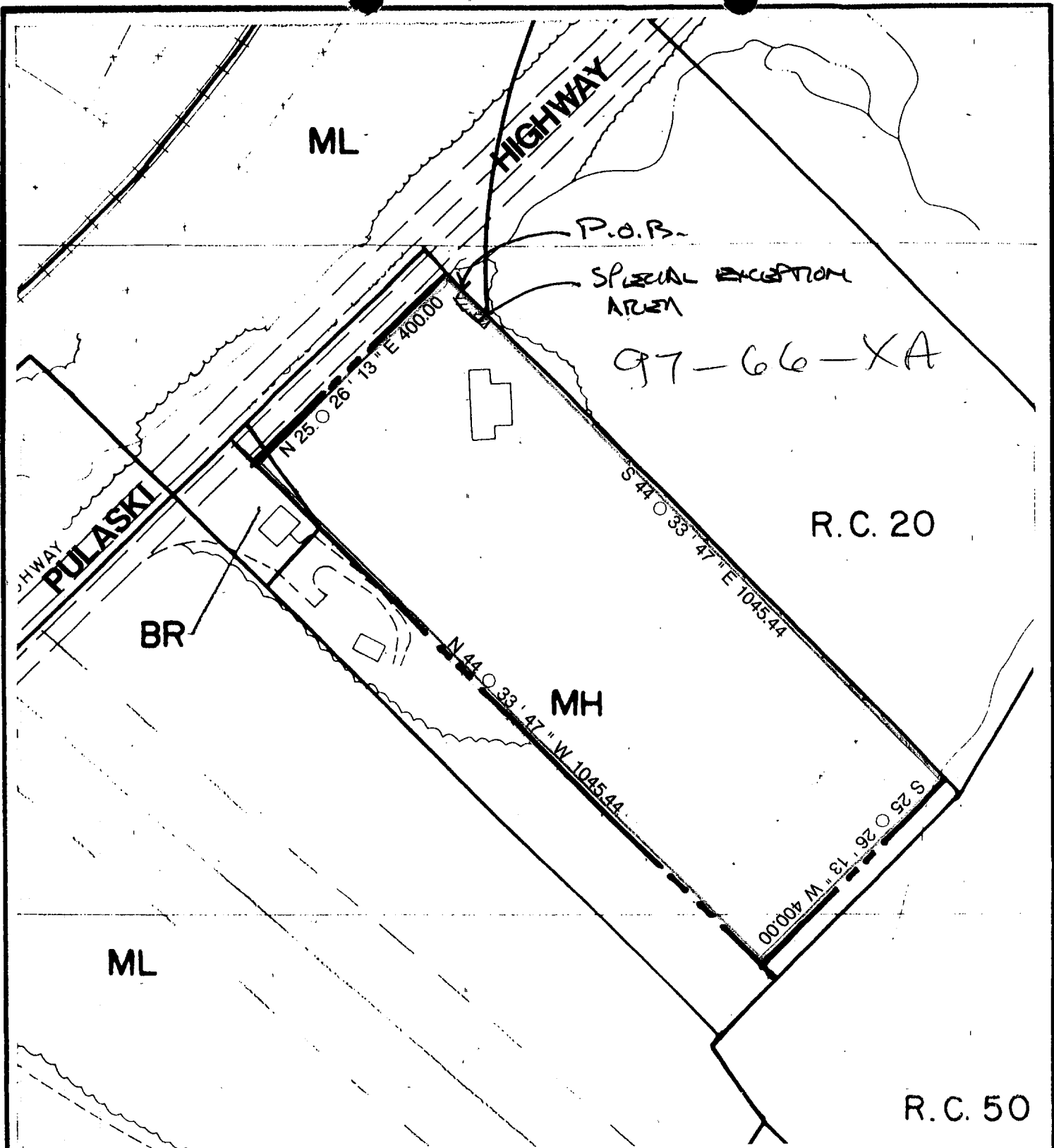
THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of September, 1996 that, pursuant to the Petition for Special Exception, approval of a two single face (side by side) 12' x 25' (300 sq. ft. each) outdoor advertising signs, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 413.3.B., 258.1, 238.1 and 303.2 of the BCZR to permit the aforesaid sign to be situated 25 ft. from the right of way line of the dual highway in lieu of the required 100 ft. and 50 ft. respectively, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 256.5 to allow an M.H. use (outdoor advertising sign) within 150 ft. of a residential zone (R.C.20) boundary, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 258.2 and 243.2 of the BCZR to permit the sign to be located 5 ft. from the side property line, in lieu of the required 50 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason,



WILLIAM MONK, INC.
 PLANNING, LANDSCAPE DESIGN
 ENVIRONMENTAL RESOURCE MANAGEMENT
 COURTHOUSE COMMONS
 222 BOSLEY AVENUE, SUITE B-7
 TOWSON, MD 21204
 (410) 494-8931

ZONING MAP
 TO ACCOMPANY
 SPECIAL EXCEPTION & VARIANCE
 APPLICATION

11715 PULASKI HIGHWAY
 BALTIMORE COUNTY, MARYLAND

MAP #:
 NE 10 - K

SCALE:
 1" = 200'

FILE #:
 95-58

MICROFILMED



Handwritten text, likely a list or notes, written in a cursive or script style. The text is mostly illegible due to the high contrast and graininess of the image.



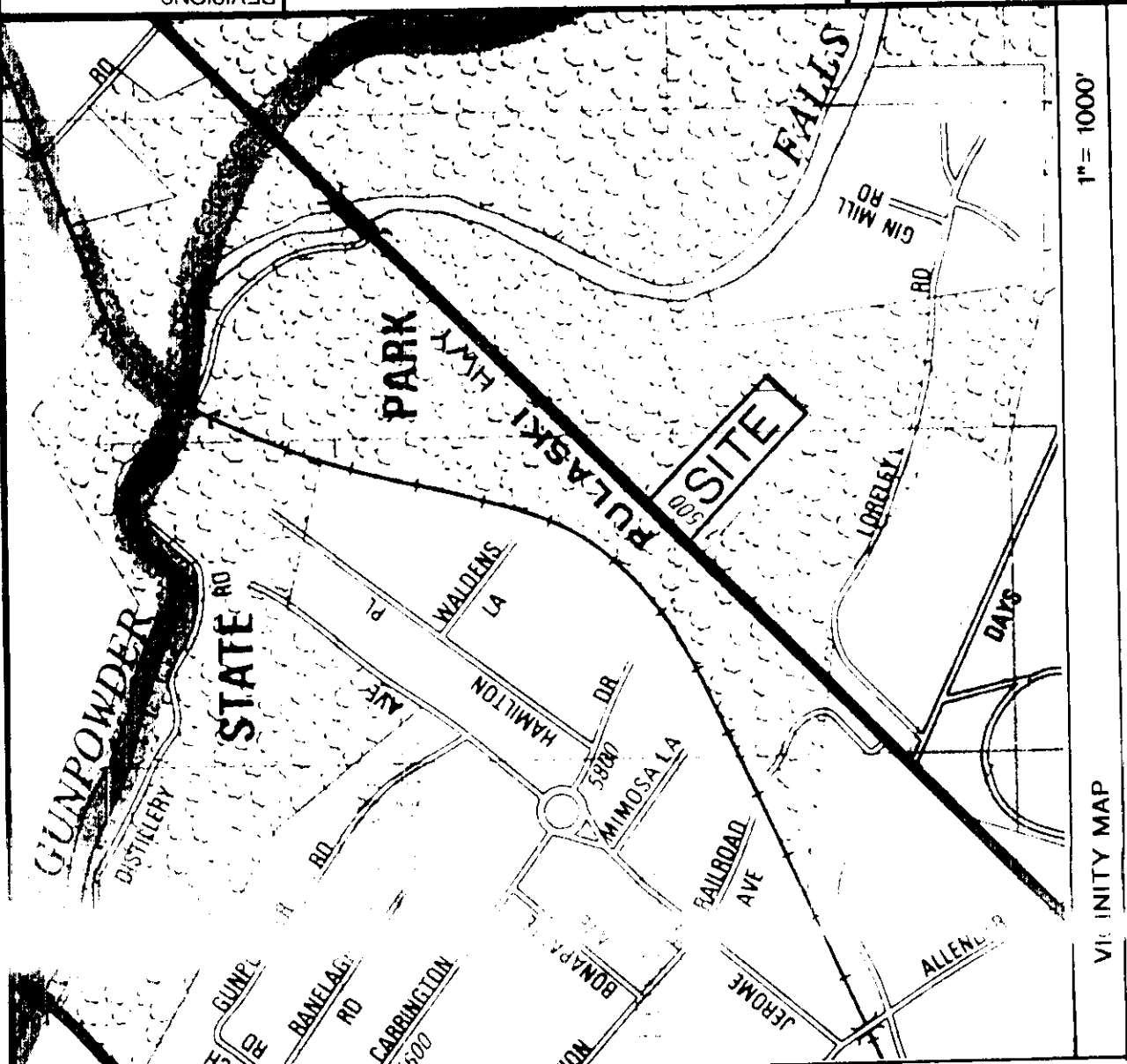
Handwritten text, likely a list or notes, written in a cursive or script style. The text is mostly illegible due to the high contrast and graininess of the image.

**PLAT TO ACCOMPANY SPECIAL
EXCEPTION & VARIANCE APPLICATION
11715 PULASKI HIGHWAY
BALTIMORE COUNTY, MARYLAND**

APPLICANT:
PENN ADVERTISING
3001 REMINGTON AVENUE
BALTIMORE, MD. 21211
410 - 235 - 8820

11715 PULASKI HIGHWAY
BALTIMORE COUNTY, MARYLAND

MICROFILMED

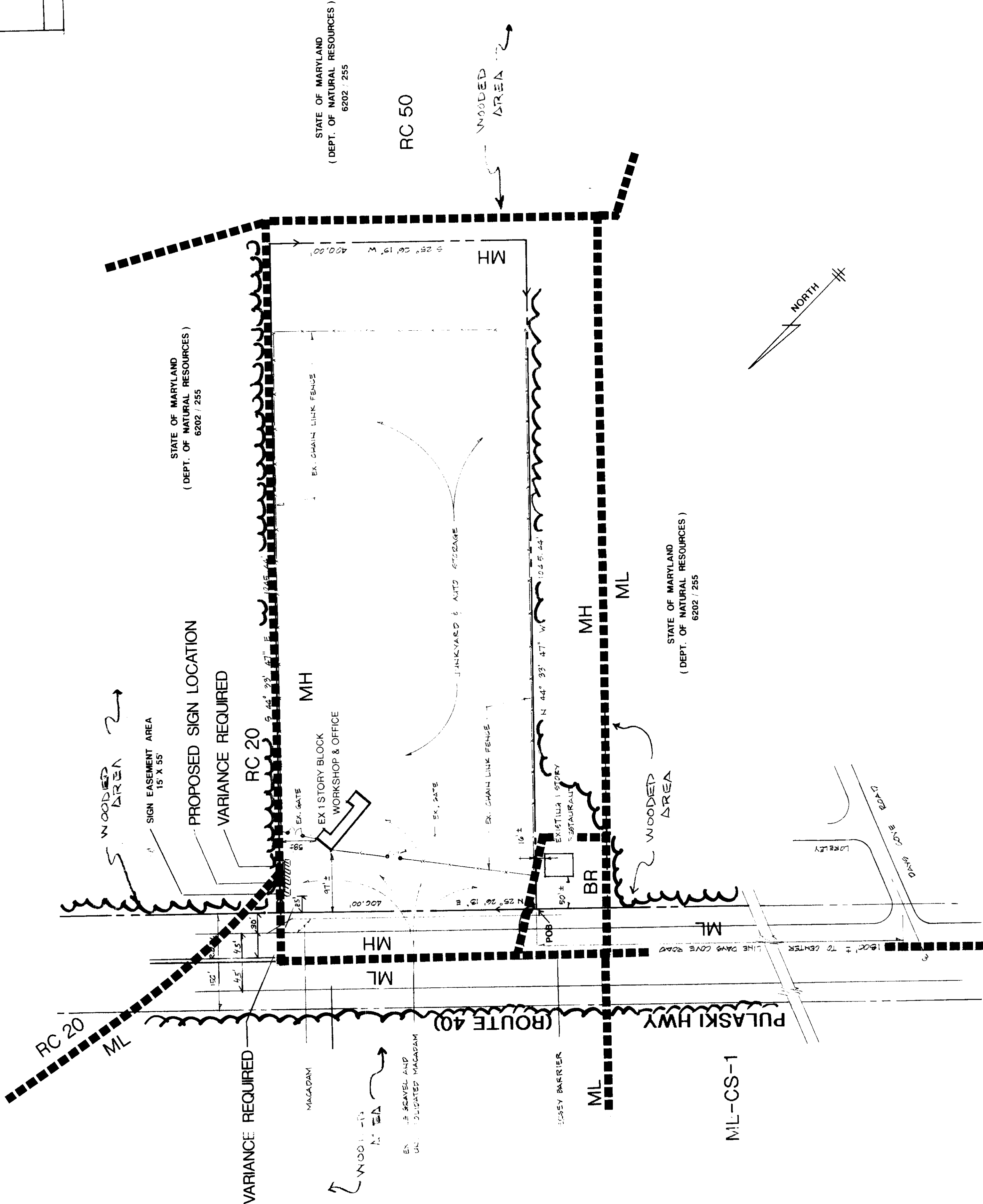


44-99-20

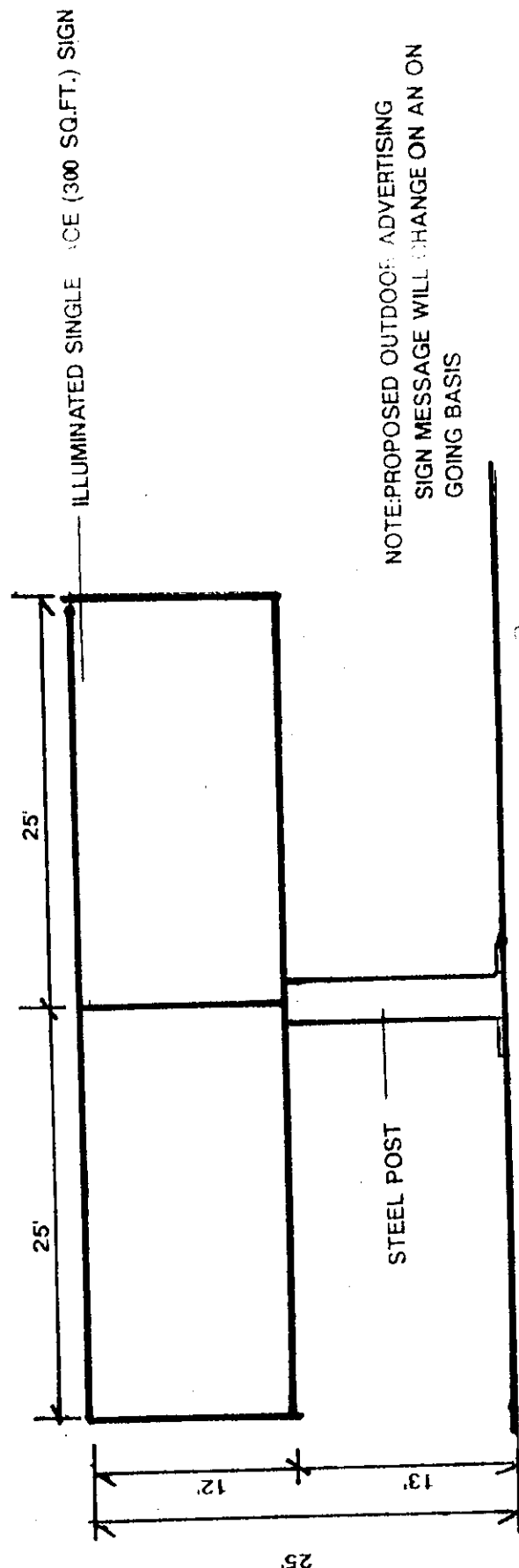
STATE OF MARYLAND
DEPT. OF NATURAL RESOURCES)
6202 / 255

RC 50

WOODED AREA 2



MIL-CS-1



PROPOSED OUTDOOR ADVERTISING SIGN

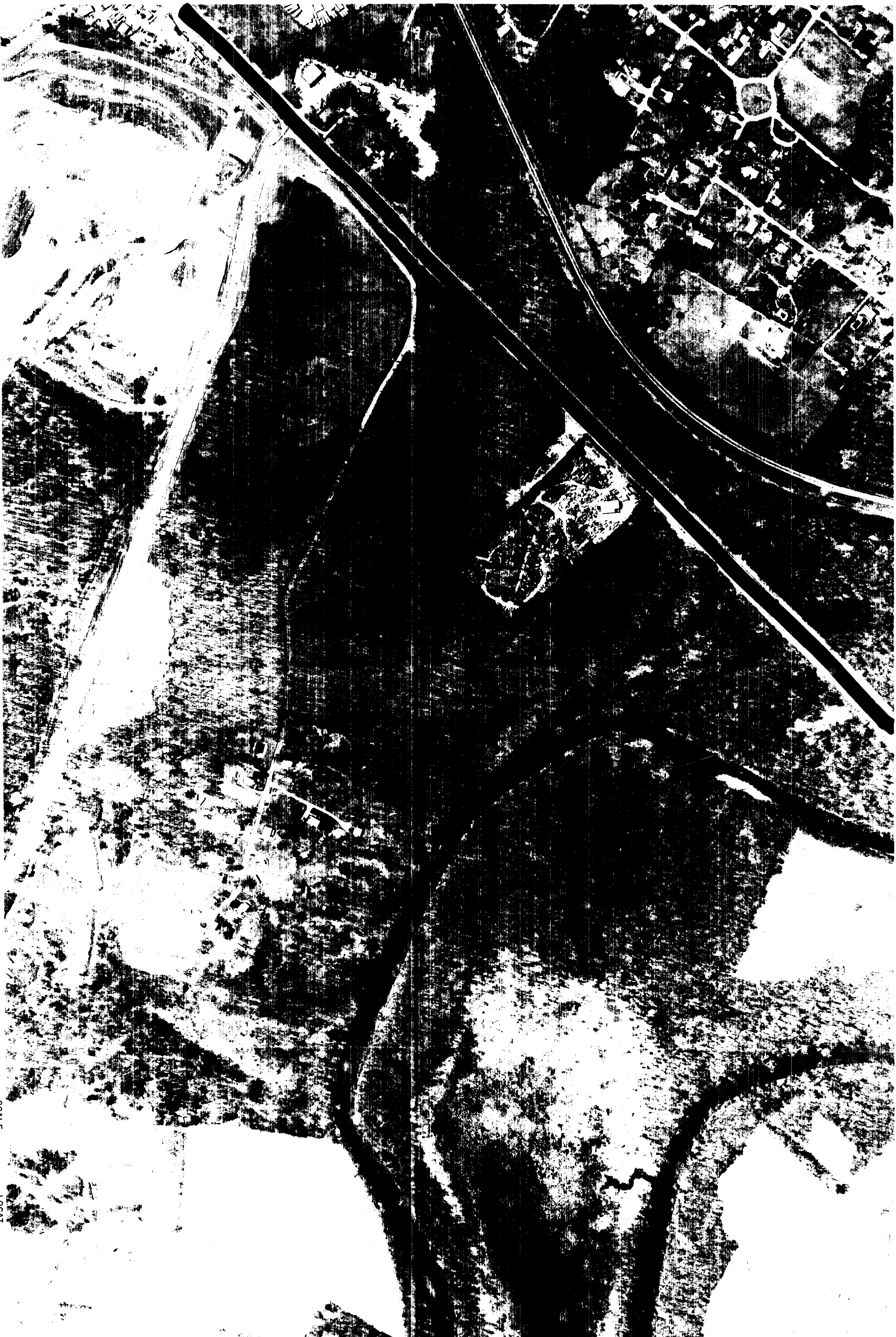
SCALE: 1" = 10'

NOTES:

- [illegible]

SECTION 413.5 (BCZR)

- A. THE SURFACE AREA OF THE PROPOSED SIGN INCLUDES THE ENTIRE FACE OR FACES OF THE SIGN. (SEE B.ELEVATION)
- B. THE SIGN DOES NOT PROTECT INTO THE STREET, RIGHT-OF-WAY
- C. THE SIGN HAS BEEN LOCATED TO ALLOW CLEAR AND AMPLE VISUAL SIGHT LINES FROM ALL EXISTING
- D. DRIVEWAYS AND STREET INTERSECTIONS
- E. THE SIGN SHALL NOT EXTEND MORE THAN 25 FEET ABOVE THE GROUND SURFACE OF THE ADJACENT ROADWAY
- F. THE SIGN SHALL BE MAINTAINED IN SUCH A WAY TO AVOID GLARE AND REFLECTION ON ADJACENT ROADS, ONCOMING VEHICLES OR ONTO ANY ADJACENT RESIDENTIAL PREMISES
- G. LIGHTING WILL BE MOUNTED ON THE TOP OF THE SIGN AND AIMED DIRECTLY AT THE SURFACE OF THE SIGN



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCAL PETITIONER'S

LOREL EXHIBIT NO.

3

MICROFILMED



1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 193-92, 184-92, 185-92, 186-92, 197-92, 188-92, 193-92

1998 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1998
Bill Nos. 144-98, 145-98, 146-98, 147-98, 148-98, 149-98, 150-98

SCA 11

1" = PETITIONER'S

D EXHIBIT NO. 2

PHOTO JAT

10 - K

10 - K

Chairman, County Council

Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

MICROFILMED

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE.
5/8 Pulaski Hwy, 2200' E of Days * ZONING COMMISSIONER
Cove Road (11715 Pulaski Highway) * OF BALTIMORE COUNTY
11th Election District
5th Councilmanic District
Legal Owner: Catherine M. Furnkas * Case No. 97-66-XA
Contract Lessee: Penn Advertising
Petitioner * * * * *

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It is clear that the Petition for Special Exception should be granted. Clearly, the proposed use at this location is entirely appropriate. The absence of any residential communities or other active uses in the immediate vicinity is a determinative factor. Moreover, the existing use of the property as an auto parts storage area/junk yard is significant. There are no residences which are within view of the sign owing to the dense screening. For all of these reasons, the Petition for Special Exception shall be granted.

The Petition for Variances are also appropriate. In fact, a grant of the variances will enable the sign to be placed near the property line and,

- 2 -

as noted above, will buffer the view of same from traffic on the other side of Pulaski Highway. The placement of the signs in the middle of the lot is impractical and would interfere with the use of the property. In my judgment, the Petitioner has presented evidence which satisfies the requirements of Section 307 of the BCZR and the case law. Thus, the Petition for Variances will also be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of September, 1996 that, pursuant to the Petition for Special Exception, approval of a two single face (side by side) 12' x 25' (300 sq. ft. each) outdoor advertising signs, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 413.3.B., 258.1, 238.1 and 303.2 of the BCZR to permit the aforesaid sign to be situated 25 ft. from the right of way line of the dual highway in lieu of the required 100 ft. and 50 ft. respectively, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 256.5 to allow an M.H. use (outdoor advertising sign) within 150 ft. of a residential zone (R.C.20) boundary, be and is hereby GRANTED; and,

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1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, - 3 -

this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date 9/19/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 9/19/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 19, 1996

Stanley Fine, Esquire
20 South Charles St., 10th floor
Baltimore, Maryland 21201

RE: Petitions for Special Exception and Variance
Case No. 97-66-XA
Catherine M. Furnkas, Legal Owner
Penn Advertising, Inc., Contract Purchaser, Petitioner

Dear Mr. Fine:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted, with restriction, in accordance with attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
a.c.c.

c: Mr. William Monk, 222 Bosley Avenue, Suite C-6, Towson, Md. 21204
Messrs. Southern, Sterner, and Johnson, Penn Advertising, Inc.
3001 Remington Avenue, Balto. Md. 21211



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 11715 Pulaski Highway
97-66-XA which is presently zoned MH

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

2 SINGLE FACE (SIDE BY SIDE) 12' X 25' (300 SQ. FT. EACH) OUTDOOR
ADVERTISING SIGNS PER SECTION 413.3 BCZR

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

PENN ADVERTISING
(Type or Print Name)
Steve Southern
Signature
3001 REMINGTON AVENUE
Address
BALTIMORE MD 21211
City State Zipcode

STANLEY FINE
(Type or Print Name)
Stanley Fine
Signature
11204 Lorely Beach Rd. 410-335-3221
Address
White Marsh, Md 21162
City State Zipcode

WILLIAM MONK, INC.
Name
222 BOSLEY AVE. C-6 410-494-8931
Address
BALTIMORE MD 21201
City State Zipcode

Catherine M. Furnkas
(Type or Print Name)
Catherine M. Furnkas
Signature
(Type or Print Name)
Address
11204 Lorely Beach Rd. 410-335-3221
City State Zipcode

WILLIAM MONK, INC.
Name
222 BOSLEY AVE. C-6 410-494-8931
Address
BALTIMORE MD 21201
City State Zipcode

ESTIMATED LENGTH OF HEARING: _____
unavailable for Hearing _____
Next Two Months
ALL _____ OTHER _____
REVIEWED BY: _____ DATE _____



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 11715 Pulaski Highway
97-66-XA which is presently zoned MH

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 413.3, 258.1, 238.1 and 303.2 of the BCZR to permit a sign to be situated 25' from the right of way line of a dual highway in lieu of the required 100' and 50' respectively.
SECTION 413.3 TO ALLOW A M.H. USE (OUTDOOR ADVERTISING SIGN) WITHIN 150' OF A RESIDENTIAL ZONE (R.C.20) BOUNDARY
SECTION 256.5 TO ALLOW A M.H. USE (OUTDOOR ADVERTISING SIGN) WITHIN 150' OF A RESIDENTIAL ZONE (R.C.20) BOUNDARY
SECTION 258.2 & 243.2 TO PERMIT THE SIGN TO BE LOCATED 5' FROM THE SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 50' OF THE Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

THE EXISTING TREE LINE PROJECTS TO THE PROPERTY LINE (ADJACENT TO PULASKI HIGHWAY) WHICH PROHIBITS SIGHT VISIBILITY IF THE 100' FRONT YARD SETBACK AND 50' SIDE YARD SETBACK WERE TO BE MAINTAINED.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

PENN ADVERTISING
(Type or Print Name)
Steve Southern
Signature
3001 REMINGTON AVENUE
Address
BALTIMORE MD 21211
City State Zipcode

STANLEY FINE
(Type or Print Name)
Stanley Fine
Signature
11204 Lorely Beach Rd. 410-335-3221
Address
White Marsh, Md. 21162
City State Zipcode

WILLIAM MONK, INC.
Name
222 BOSLEY AVE. C-6 410-494-8931
Address
BALTIMORE MD 21201
City State Zipcode

Catherine M. Furnkas
(Type or Print Name)
Catherine M. Furnkas
Signature
(Type or Print Name)
Address
11204 Lorely Beach Rd. 410-335-3221
City State Zipcode

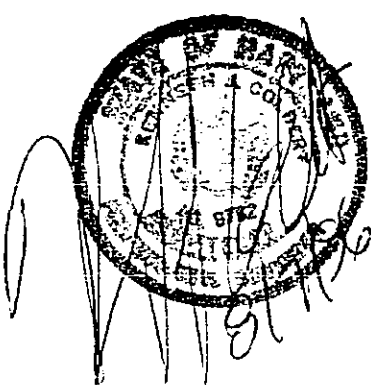
WILLIAM MONK, INC.
Name
222 BOSLEY AVE. C-6 410-494-8931
Address
BALTIMORE MD 21201
City State Zipcode

ESTIMATED LENGTH OF HEARING: _____
unavailable for Hearing _____
Next Two Months
ALL _____ OTHER _____
REVIEWED BY: _____ DATE _____

ZONING DESCRIPTION
PENN ADVERTISING
11715 PULASKI HIGHWAY
11TH ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND
(SIGN EASEMENT AREA)

BEGINNING FOR THE SAME AT A POINT SOUTH 44 DEGREES 33 MINUTES 47 SECONDS EAST 25.00 FEET FROM THE SOUTHERN SIDE OF PULASKI HIGHWAY AND 2200 FEET, MORE OR LESS, EAST OF THE CENTER LINE OF DAYS COVE ROAD; THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES: (1) SOUTH 44 DEGREES 33 MINUTES 47 SECONDS EAST 55.00 FEET; (2) SOUTH 25 DEGREES 26 MINUTES 13 SECONDS WEST 15.00 FEET; (3) NORTH 44 DEGREES 33 MINUTES 47 SECONDS WEST 55.00 FEET; (4) NORTH 25 DEGREES 26 MINUTES 13 SECONDS WEST 15.00 FEET; TO THE PLACE OF BEGINNING.

CONTAINING 825 SQUARE FEET OF LAND, MORE OR LESS.



CASE NUMBER: 97-66-XA (Item 64)
11715 Pulaski Highway
S/S Pulaski Highway, 2200' E of Days Cove Road
11th Election District - 5th Councilmanic
Legal Owner(s): Catherine M. Furnkas
Lessee: Penn Advertising

Special Exception for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs.
Variance to permit a sign to be situated 25 ft. from the right of way line of a dual highway in lieu of the required 100 feet and 50 feet, respectively; to allow a MH use (outdoor advertising sign) within 150 feet of a residential zone (RC-20) boundary; and to permit the sign to be located 5 feet from the side property line in lieu of the required 50 feet.

HEARINGS: MONDAY, SEPTEMBER 16, 1996 at 9:00 a.m. in Room 118, Old Courthouse.
William Monk 434-8931

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Election District Date of Posting: August 23, 1996
Posted for: Catherine M. Furnkas, Legal Owner, 11715 Pulaski Highway, 2200' E of Days Cove Road, Towson, Maryland 21204
Petitioner: Catherine M. Furnkas, Legal Owner, 11715 Pulaski Highway, 2200' E of Days Cove Road, Towson, Maryland 21204
Location of property: 11715 Pulaski Highway, Towson, Maryland 21204
Location of Sign: 11715 Pulaski Highway, Towson, Maryland 21204
Remarks: [Signature]
Posted by: [Signature] Date of return: 9/17/96
Number of Signs: 1

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the County Act and Regulations of Baltimore County, will hold a public hearing on the proposed Special Exception for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs, Variance to permit a sign to be situated 25 ft. from the right of way line of a dual highway in lieu of the required 100 feet and 50 feet, respectively; to allow a MH use (outdoor advertising sign) within 150 feet of a residential zone (RC-20) boundary; and to permit the sign to be located 5 feet from the side property line in lieu of the required 50 feet.
Case No. 97-66-XA (Item 64)
11715 Pulaski Highway, 2200' E of Days Cove Road, Towson, Maryland 21204
Legal Owner(s): Catherine M. Furnkas
Lessee: Penn Advertising
Hearing: Monday, September 16, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 8/22, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/22, 1996.

THE JEFFERSONIAN,
A. Henickson
LEGAL AD. - TOWSON



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 64 Petitioner: PENN ADVERTISING

Location: 11715 PULASKI HIGHWAY

PLEASE FORWARD ADVERTISING BILL TO:

NAME: NATE SYNERGIC - PENN ADV.

ADDRESS: 3001 REMINGTON AVENUE

BALTIMORE, MD 21211

PHONE NUMBER: 410-235-9820

TO: FOTUDENT PUBLISHING COMPANY
August 22, 1996 Issue - Jeffersonian

Please forward billing to:

Nate Syner
Penn Advertising
3001 Remington Avenue
Baltimore, MD 21211
235-8820

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-66-XA (Item 64)
11715 Pulaski Highway
S/S Pulaski Highway, 2200' E of Days Cove Road
11th Election District - 5th Councilmanic
Legal Owner(s): Catherine M. Furnkas
Lessee: Penn Advertising

Special Exception for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs.
Variance to permit a sign to be situated 25 ft. from the right of way line of a dual highway in lieu of the required 100 feet and 50 feet, respectively; to allow a MH use (outdoor advertising sign) within 150 feet of a residential zone (RC-20) boundary; and to permit the sign to be located 5 feet from the side property line in lieu of the required 50 feet.

HEARING: THURSDAY, SEPTEMBER 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 15, 1996

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-66-XA (Item 64)
11715 Pulaski Highway
S/S Pulaski Highway, 2200' E of Days Cove Road
11th Election District - 5th Councilmanic
Legal Owner(s): Catherine M. Furnkas
Lessee: Penn Advertising

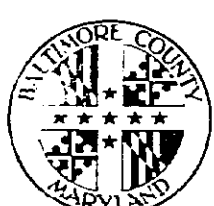
Special Exception for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs.
Variance to permit a sign to be situated 25 ft. from the right of way line of a dual highway in lieu of the required 100 feet and 50 feet, respectively; to allow a MH use (outdoor advertising sign) within 150 feet of a residential zone (RC-20) boundary; and to permit the sign to be located 5 feet from the side property line in lieu of the required 50 feet.

HEARING: THURSDAY, SEPTEMBER 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Catherine M. Furnkas
William Monk, Inc.
Penn Advertising
Stanley Fine

NOTES: (1) ZONING SIGN AND POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 20, 1996

NOTICE OF REASSIGNMENT

CASE NUMBER: 97-66-XA (Item 64)
11715 Pulaski Highway
S/S Pulaski Highway, 2200' E of Days Cove Road
11th Election District - 5th Councilmanic
Legal Owner(s): Catherine M. Furnkas
Lessee: Penn Advertising

Special Exception for 2 single face (side by side) 12 ft. x 25 ft. (300 sq. ft. each) outdoor advertising signs.
Variance to permit a sign to be situated 25 ft. from the right of way line of a dual highway in lieu of the required 100 feet and 50 feet, respectively; to allow a MH use (outdoor advertising sign) within 150 feet of a residential zone (RC-20) boundary; and to permit the sign to be located 5 feet from the side property line in lieu of the required 50 feet.

HEARING: MONDAY, SEPTEMBER 16, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
DIRECTOR

cc: Catherine M. Furnkas
William Monk, Inc.
Penn Advertising
Stanley Fine, Esq.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 13, 1996

Stanley Fine, Esquire
20 S. Charles Street, 10th Floor
Baltimore, MD 21201

RE: Item No.: 64
Case No.: 97-66-XA
Petitioner: Catherine Furnkas

Dear Mr. Fine:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Subanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 10, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

Based upon site analysis and the information provided, the Planning Office does not oppose the granting of the following petitions:

Item Nos. 64 and 68

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey M. Long

Division Chief: Cary L. Kinn

PK/JL

ITF64/PZONE/TXT.WL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4580

DATE: 08/15/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 19, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 33, 55, 58, 60, 63, 64, 65, 66, 67, 68, 69 AND 71.

REVIEWER: LT. ROBERT P. SAUERNAID
Fire Marshal Office. PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

8-16-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 064 (JLL)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 90 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
FROM: Robert W. Bowling, Chief
Development Plans Review Division
SUBJECT: Zoning Advisory Committee Meeting
for August 26, 1996
Item No. 064

Date: August 23, 1996

The Development Plans Review Division has reviewed the subject zoning item. If granted, this office requests that the Hearing Officer requires conformance with the Landscape Manual's streetscape standards.

RWB:HJO:jrb

cc: File

ZONE23D

PETITION PROBLEMS

#33 --- RT

1. Where has this petition been????
2. Only one signature was notarized.

#55 --- JRA

1. No zoning indicated on petition form.
2. No review information on bottom of petition form.

#58 --- MJK

1. Need title of person signing for legal owner.
2. Need telephone number of legal owner.

#60 --- MJK

1. Need telephone number for legal owner.

#61 --- ????

Where is it?????

#62 --- JLL

1. Why does special hearing petition form list two legal owners and the variance petition form list only one legal owner.

#64 --- JLL

1. Need title of person signing for lessee.

#67 --- JJS

1. Need zoning on petition form - says "Res".

#70 --- ???

Where is it????

#71 --- MJK

1. Need telephone number for legal owner.

August 12, 1996

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: August 8, 1996

TO: Hearing Officer

FROM: John L. Lewis

SUBJECT: Item #64
11715 Putaski Highway

Applicant filing at own risk as requested. Attorney's signature required.

JLL:scj

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
11715 Putaski Highway, S/S Putaski Hwy.
2200' E of Days Cove Road
11th Election District, 5th Councilmanic
Legal Owner(s): Catherine M. Furnas
Lessee: Penn Advertising
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-66-XA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of September, 1996, a copy of the foregoing Entry of Appearance was mailed to William Monk, Inc., 222 Bosley Avenue, C-6, Towson, MD 21204, representative for Petitioners, and to Stanley Fine, Esq., 20 S. Charles Street, 10th Floor, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Judith Berger
3501 Lochearn Drive
Baltimore, MD 21207-6363
September 12, 1996

Hon. Lawrence R. Schmidt
Baltimore County Zoning Commissioner
Old Courthouse, Ste 112
400 Washington Avenue
Towson, MD 21204

RE: Case 97-65XA (Item 54)
Case 97-66XA (Item 64)
Case 97-67XA (Item 68)

Dear Mr. Schmidt,

I am in opposition to granting Special exceptions and Variances in the above referenced cases. The first two cases are too close to the public right of way, and residential zones. The third case location will further degrade a rural location, and is proposed location is too close to the property line.

I have personally inspected the Windsor Mill and Pine Avenue location today, September 12, 1996. The area is still largely residential, indeed, a whole row of homes faces the proposed location. Windsor Mill road is narrow, carries heavy vehicular traffic, which would provide a distraction, adversely, to drivers, and, obviously, is too near to the roadway. Please deny this request.

Case 97-66XA is located at a gateway to the Tatopasco State Park, be too close to the right of way, and provide an eyesore close to residences. Please deny this request.

I also oppose the final case 97-67XA. Although I haven't been part this location, I have friends who reside, not too far away, on Dark Hollow Road. This area, the last of the truly lovely rural residential-horse farm areas, would be despoiled if a billboard would be allowed. It would definitely be too close to the road, distracting, and be deleterious to the health and welfare of the nearby residents, who value natural beauty, above all. Please deny this request.

The requests for variances and Special Exceptions prove that these locations are deemed unsuitable by the laws of Baltimore County. If these requests are granted they will further make a mockery of those laws. Please keep Baltimore County and America beautiful!!!

Sincerely,
Judith Berger
Judith Berger

7408 WINDSOR MILL

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

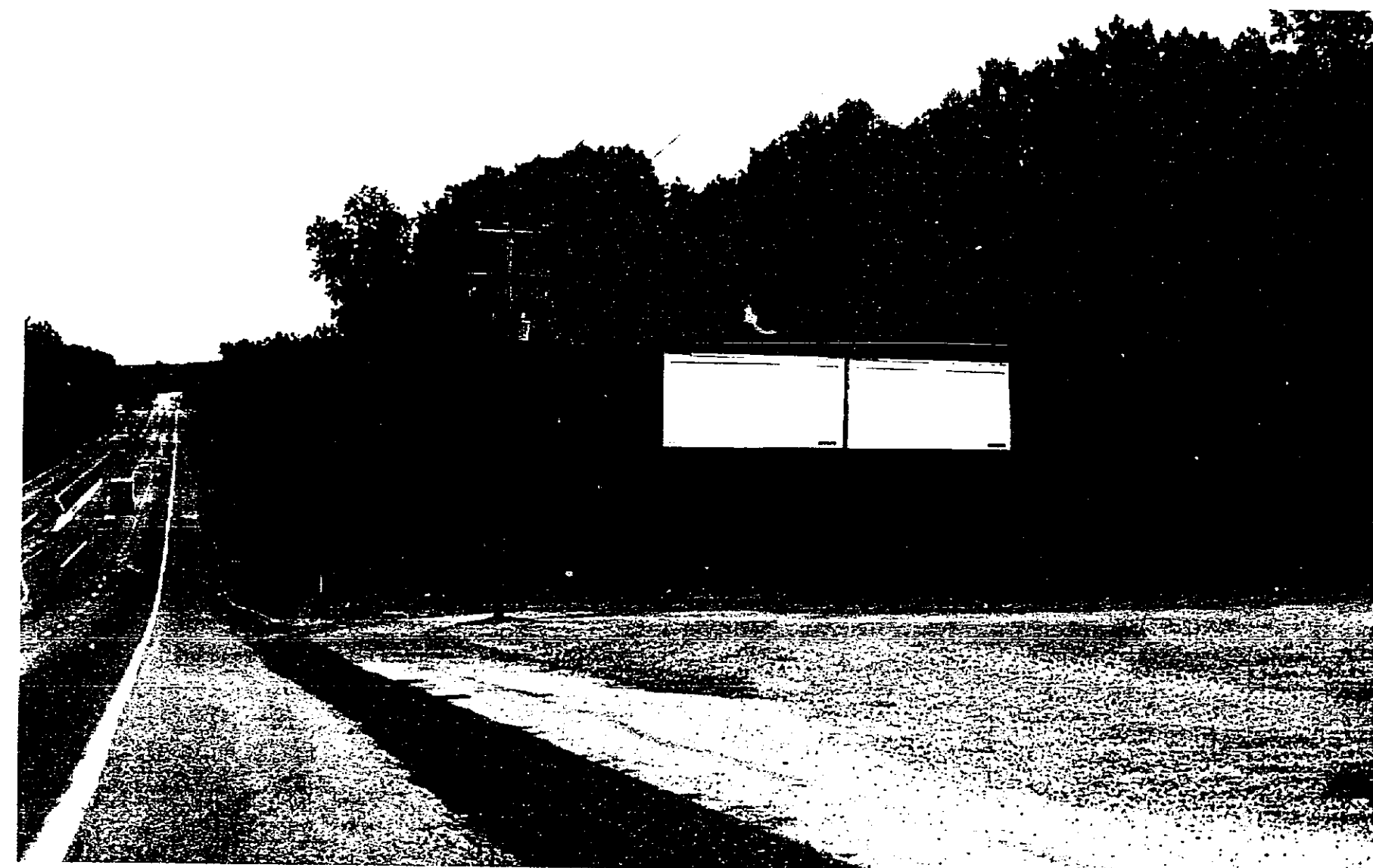
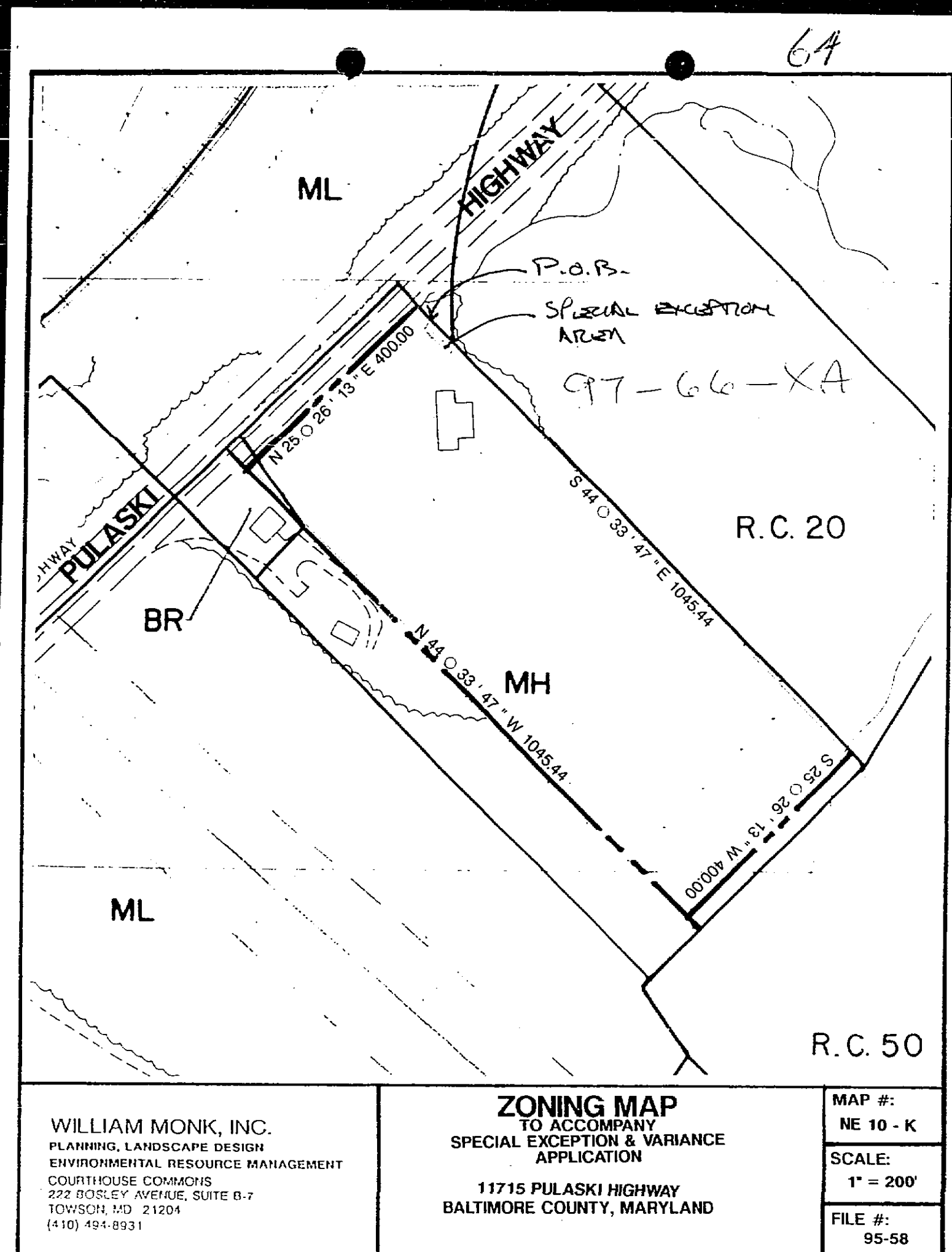
NAME	ADDRESS
William Monk	

Bosley DM
PENN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
William Monk	222 Bosley Ave Suite C-6 Towson MD
Joshua F. Cooney	Box 123 Cockeysville MD 21030
Steve Sauter	2001 Remington Ave Belt MD 21211
Nathan Steiner	3501 Remington Ave Belt MD 21211
Michael Wharton	2001 Remington Ave Belt MD 21211



WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-9931
FAX 410-494-9903



11715 PULASKI HIGHWAY: EXISTING JUNK YARD



WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-9931
FAX 410-494-9903



TREES ENCREACHING INTO PULASKI HIGHWAY R/W
IMPEDE VIEW OF BILLBOARD



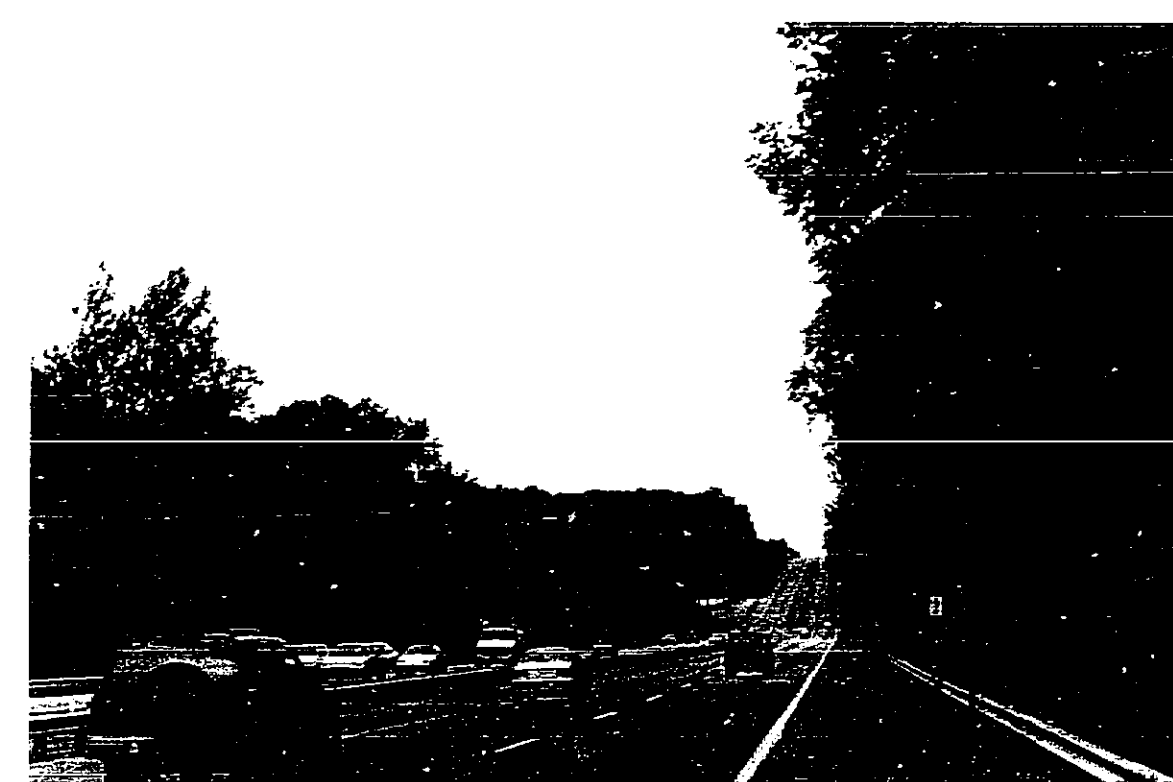
WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-9931
FAX 410-494-9903



PULASKI HIGHWAY - STEEP HILL
POSTED SPEED LIMIT 55 MPH



WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-9931
FAX 410-494-9903

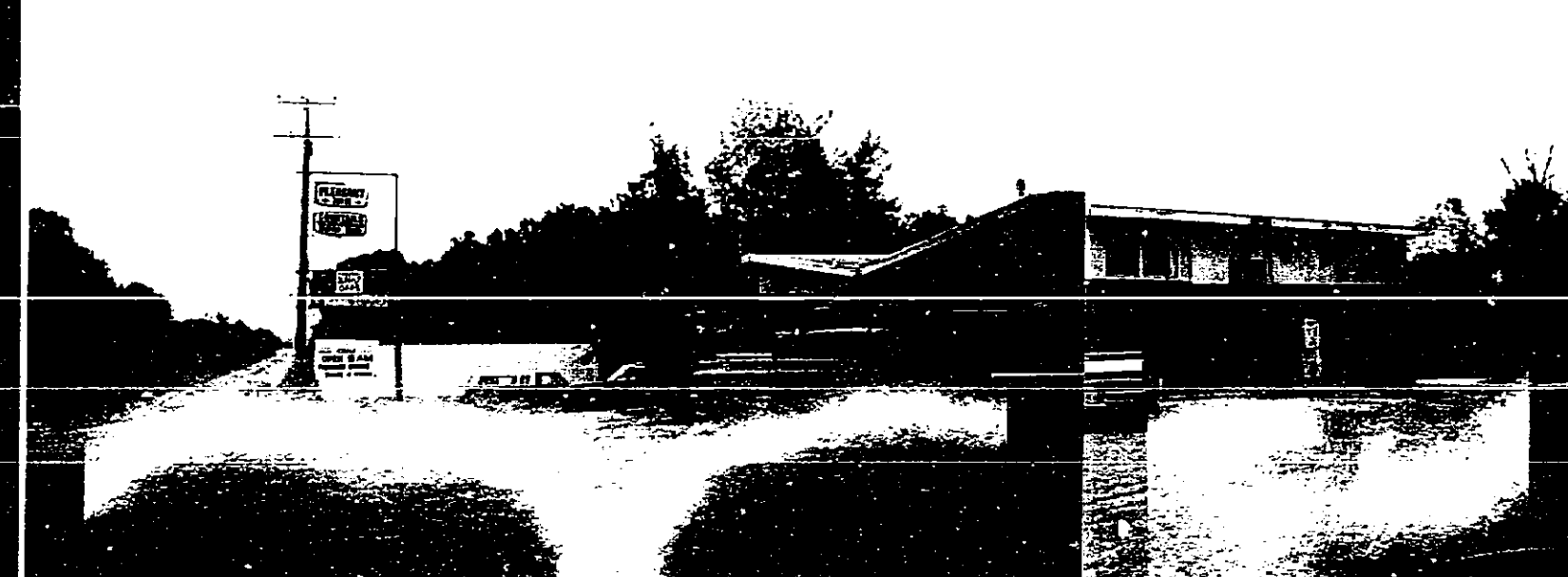


VIEW FROM BILLBOARD LOCATION LOOKING SOUTH

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-9931
FAX 410-494-9903



ADJACENT LAND USE

WILLIAM MONK, INC.

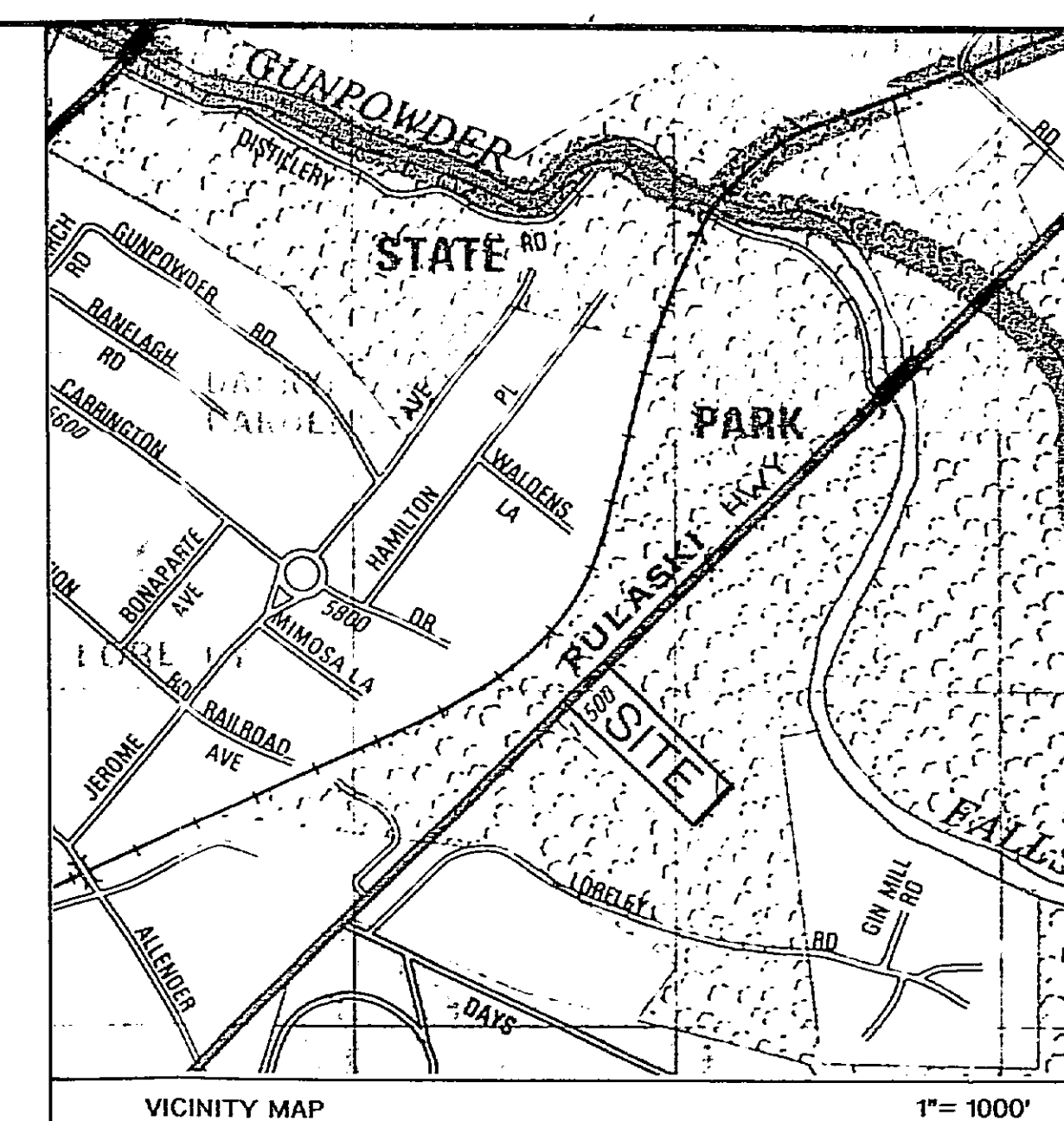
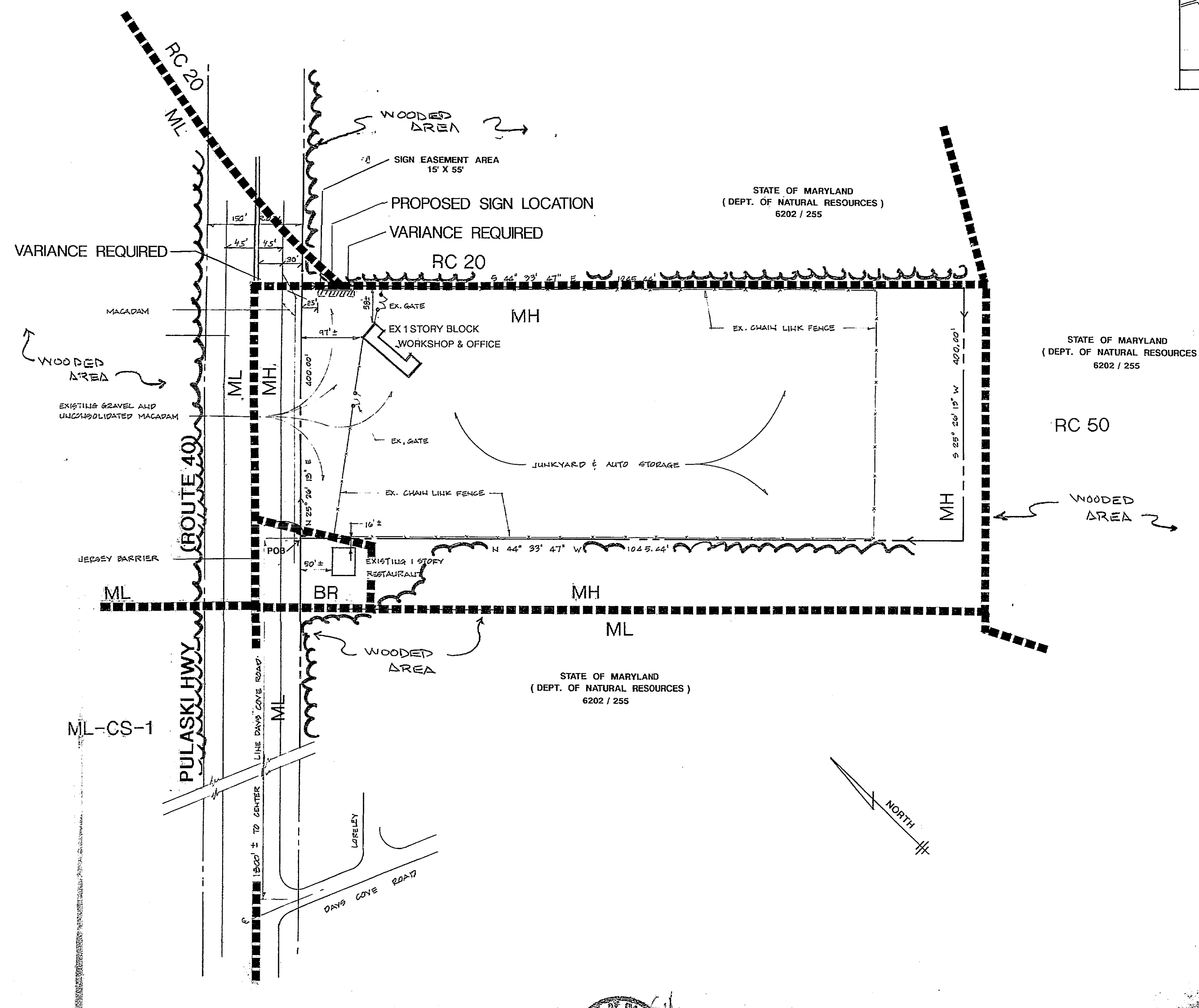
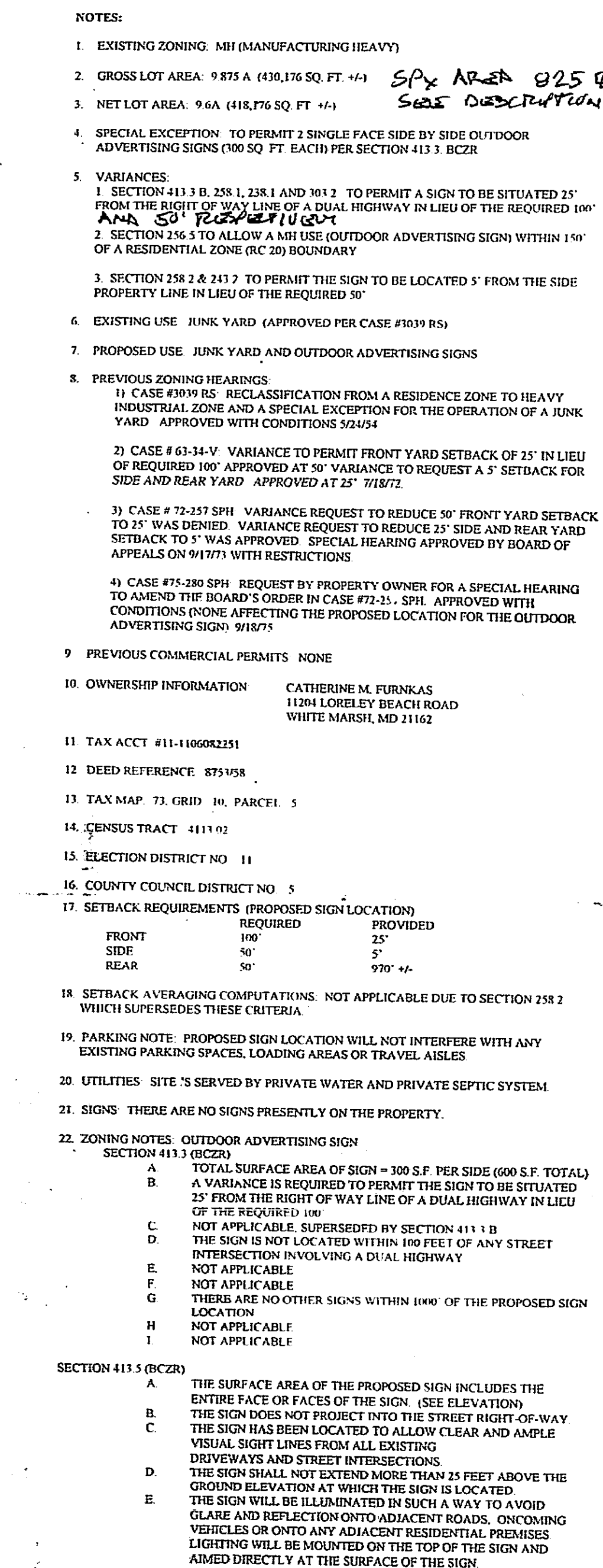
LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-9931
FAX 410-494-9903



RESTRICTED VIEW OF BILLBOARD LOCATION
FROM NORTH BOUND LANES OF PULASKI HIGHWAY



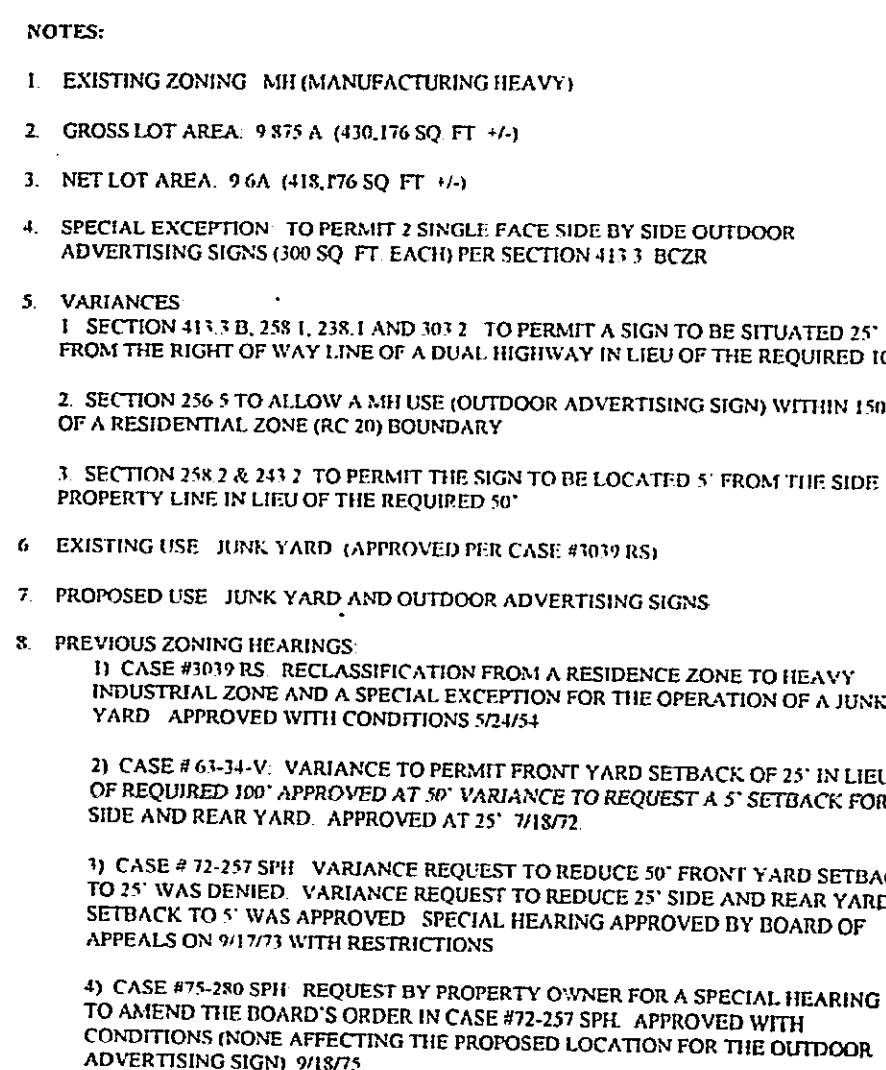


**PLAT TO ACCOMPANY SPECIAL
EXCEPTION & VARIANCE APPLICATION**

**11715 PULASKI HIGHWAY
BALTIMORE COUNTY, MARYLAND**

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
2222 BOSLEY AVENUE, SUITE B-7
TOWSON, MARYLAND 21204
410.494.9931

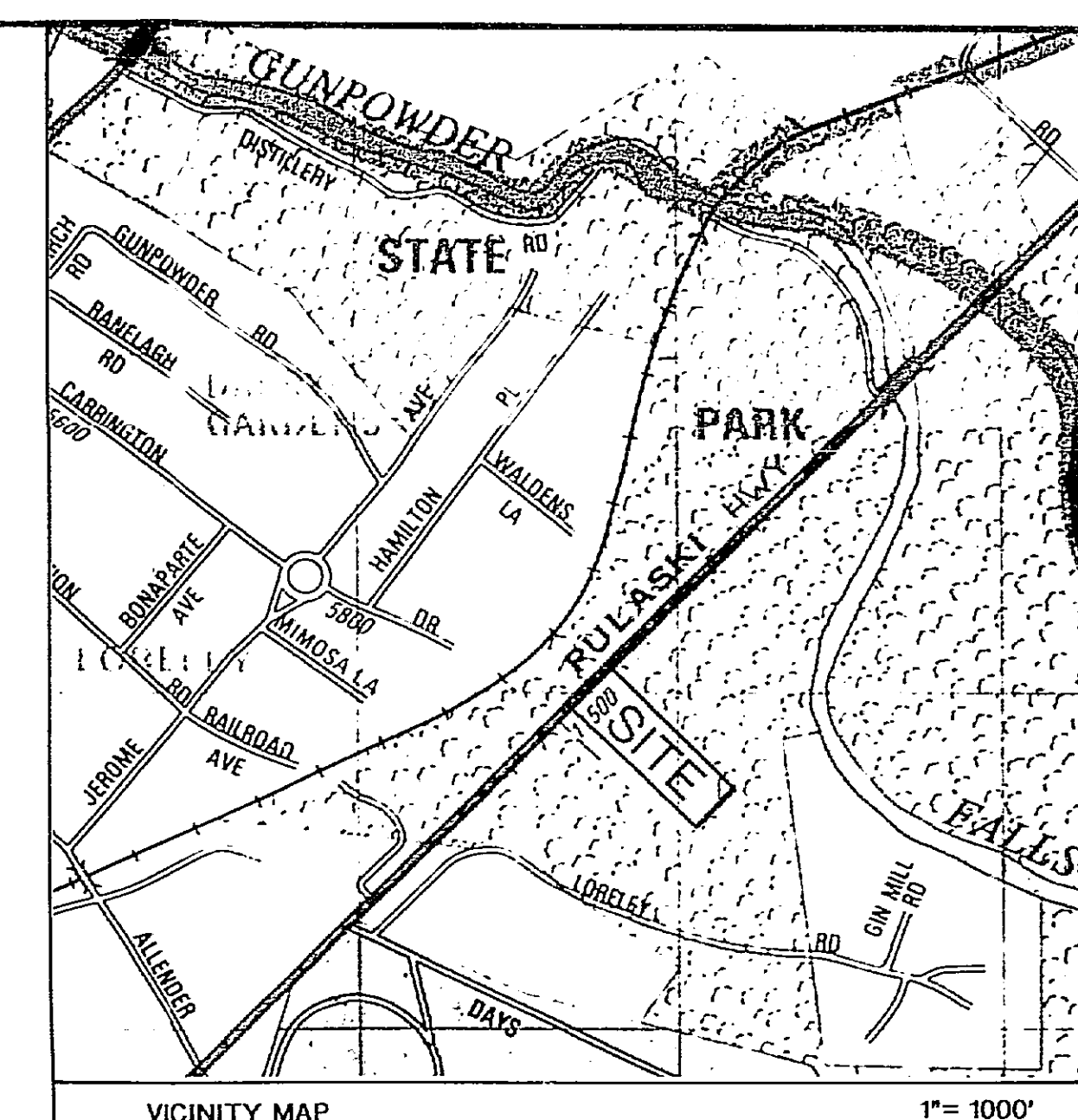
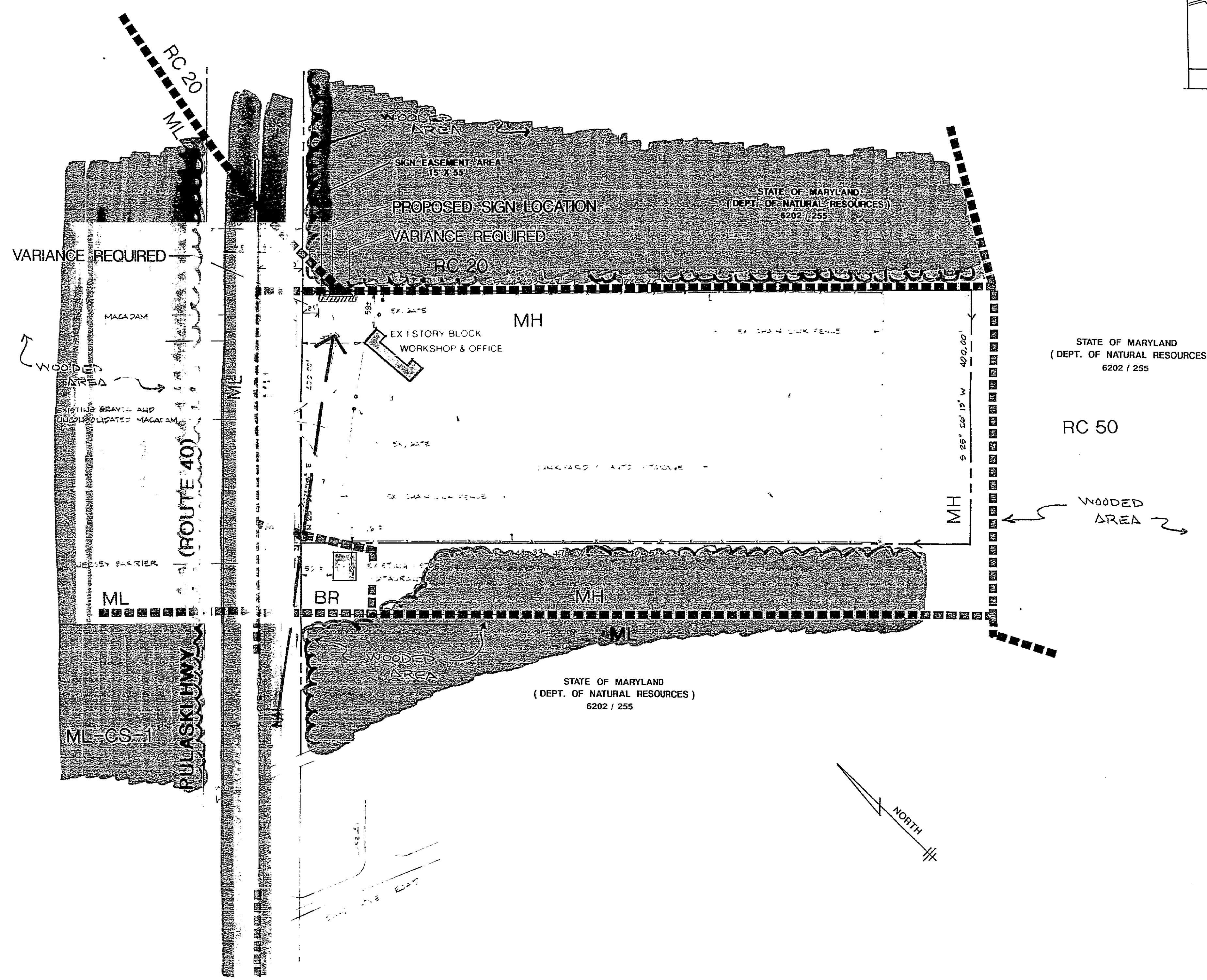


- NOTES:
1. EXISTING ZONING: MHD (MANUFACTURING HEAVY).
 2. GROSS LOT AREA: 9,875 A (0.19167 SEC 7-1/2).
 3. NET LOT AREA: 9,604 A (0.1875 SEC 7-1/2).
 4. SPECIAL EXCEPTION: TO PERMIT 1 SIGN: 1) SIGN: FACE SIDE OF BUSY OUTDOOR ADVERTISING SIGNS (30' SEC 7-1/2). EACH PER SECTION 411.13 BCZ.
 5. VARIANCES:
 - A. SECTION 411.13.1, 281.1 AND 301.2 TO PERMIT A SIGN TO BE SITUATED 25' FROM THE RIGHT OF WAY LINE OF A DUAL HIGHWAY IN LINE OF THE REQUIRED 10' SETBACK.
 - B. SECTION 26.05 TO ALLOW A MARIJUANA OUTDOOR ADVERTISING SIGN WITHIN 196' OF A RESIDENCE ZONE (RE PC) BOUNDARY.
 - C. SECTION 30.04.2.1 TO PERMIT THE SIGN TO BE LOCATED 4' FROM THE SIDE PROPERTY LINE IN LINE OF THE REQUIRED 50' SETBACK.
 6. EXISTING USE: JRRR, VARDY (APPROVED PER CASE #10185).
 7. PROPOSED USE: JUNK VARDY AND OUTDOOR ADVERTISING SIGNS.
 8. PREVIOUS ZONING HEARINGS:
 - A. CASE #01918: RECLASSIFICATION FROM A RESIDENCE ZONE TO HEAVY INDUSTRIAL ZONE AND A SPECIAL EXCEPTION FOR THE OPERATION OF A JUNK VARDY, APPROVED WITH THE FOLLOWING VARIANCES:
 - 1. CASE #043.4-M: VARIANCE TO PERMIT FRONT YARD SETBACK OF 19' IN LINE OF REQUIRED 40' APPROVED AT 50' VARIANCE TO REQUEST A 4' SETBACK FOR SIDE AND REAR YARD APPROVED AT 25' 30' SETBACK.
 - 2. CASE #75.201-SH: VARIANCE REQUEST TO REDUCE FRONT YARD SETBACK TO 25' WAS DENIED. VARIANCE REQUEST TO REDUCE 25' SIDE AND REAR YARD SETBACK TO 15' WAS APPROVED. SPECIAL HEARING APPROVED BY BOARD OF APPEALS ON 01/07/17 WITH RESTRICTIONS.
 - 3. CASE #75.200-SH: REQUEST BY PROPERTY OWNER FOR A SPECIAL HEARING TO RECONSIDER DENIED 30' SETBACK TO PERMIT THE SIGN TO BE SITUATED WITH CONDITIONS AFFECTING THE PROPOSED LOCATION FOR THE OUTDOOR ADVERTISING SIGNS. 30' SETBACK.
 9. PREVIOUS COMMERCIAL PERMITS: NONE.
 10. OWNERSHIP INFORMATION: CATHERINE M FURNAS
10000 WINDY HOLLOW DRIVE
WHITE MANSION, MD 21164
 11. TAX ACCT #41-110660231.
 12. DEED REFERENCE: 9/31/58.
 13. TAX MAP: T1, GRD 10, PARCEL 5.
 14. CENSUS TRACT: 411101.
 15. ELECTION DISTRICT NO. 11.
 16. COUNTY COUNCIL DISTRICT NO. 4.
 17. SETBACK REQUIREMENTS (PROPOSED SIGN LOCATION):

	REQUIRED	PROVIDED
FRONT	100'	25'
REAR	50'	50'
SIDE	50'	25' & 4'
 18. SETBACK & VARIANCE COMPUTATIONS: NOT APPLICABLE DUE TO SECTION 28.1 WHICH 30' RESOLVES THESE CRITERIA.
 19. PARKING NOTE: PROPOSED SIGN LOCATION WILL NOT INTERFERE WITH ANY EXISTING PARKING SPACES LOCATED ON REAR OR TRAVEL SIDES.
 20. UTILITIES: SITE IS SERVED BY PRIVATE WATER AND PRIVATE SEPTIC SYSTEM.
 21. SIGNS: THERE ARE NO SIGNS PRESENTLY ON THE PROPERTY.
 22. ZONING NOTES: OUTDOOR ADVERTISING SIGN
SECTION 411.13 (10029):

A	TOTAL SURFACE AREA OF SIGN = 10.5 F PER SIDE (40.5 F TOTAL)
B	THE SIGN SHALL NOT PROJECT INTO THE STREET RIGHT OF WAY
C	THE SIGN SHALL NOT BE LOCATED WITHIN 10' OF AN ADJACENT PROPERTY LINE
D	THE SIGN SHALL NOT BE LOCATED WITHIN 10' OF AN ADJACENT PROPERTY LINE
E	THE SIGN SHALL NOT BE LOCATED WITHIN 10' OF AN ADJACENT PROPERTY LINE
F	THE SIGN SHALL NOT BE LOCATED WITHIN 10' OF AN ADJACENT PROPERTY LINE
G	THERE ARE NO OTHER SCAFFOLDS WITHIN 10' OF THE PROPOSED SIGN LOCATION
H	NOT APPLICABLE
I	NOT APPLICABLE
 23. SECTION 411.5 (0629):

A	THE SURFACE AREA OF THE PROPOSED SIGN EXCEEDS THE ENTIRE SURFACE AREA OF THE SIGN (FACE ELEVATION)
B	THE SIGN SHALL NOT PROJECT INTO THE STREET RIGHT OF WAY
C	THE SIGN SHALL NOT BE LOCATED WITHIN 10' OF AN ADJACENT PROPERTY LINE
D	DRIVEWAYS AND STREET INTERSECTIONS
E	VISUAL SIGHT LINES FROM ALL EXISTING
F	DRIVEWAYS AND STREET INTERSECTIONS
G	THE SIGN SHALL NOT EXCEED MORE THAN 2 FEET ABOVE THE HIGHEST ADJACENT SIGN
H	THE SIGN SHALL BE ILLUMINATED SUCH AS TO AVOID THE LIGHT AND REFLECT TO THE ADJACENT SIGN
I	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
J	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
K	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
L	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
M	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
N	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
O	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
P	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
Q	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
R	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
S	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
T	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
U	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
V	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
W	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
X	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
Y	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES
Z	VEHICLES ON ANY ADJACENT RESIDENTIAL PREMISES



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PETITIONER'S

EXHIBIT NO. 1



M - NE MM - NW
Q - SE QQ - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

~~1988 COMPREHENSIVE ZONING MAP~~
~~Adopted by the Baltimore County Council~~
~~Oct. 13, 1988~~
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
[Signature]
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
[Signature]
Chairman, County Council

SCALE	1" = PETITIONER'S
D	EXHIBIT NO. <u>2</u>
PHOTO	
JAI	
I	
SHEET	N. E.
	10 - K



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCAT PETITIONER'S

LOREL EXHIBIT NO. 3